

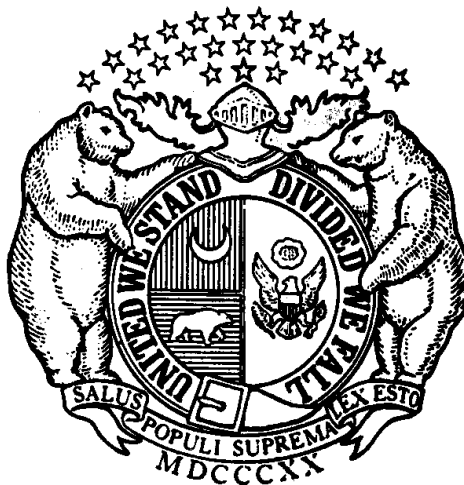
**MISSOURI  
HOUSE OF REPRESENTATIVES**

**TIMOTHY W. JONES  
SPEAKER**

**SUMMARIES OF  
TRULY AGREED TO AND  
FINALLY PASSED BILLS**

**97<sup>th</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION**

***2014***



**Prepared by  
HOUSE RESEARCH**

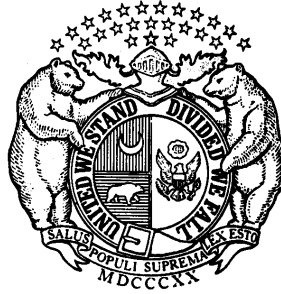
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## **TIMOTHY W. JONES**

Speaker of the House

**MISSOURI HOUSE OF REPRESENTATIVES**

*The highly productive 2014 legislative session resulted in significant, important legislative goals being met as legislators worked diligently to advance issues that will improve the quality of life for all Missouri families, farmers and business owners. After months of deliberation and thoughtful discussion, the legislature gave final approval to 190 pieces of legislation before gaveling out in mid-May.*

*Among the bills sent to the governor's desk is the first income tax cut in nearly a century that will benefit all Missouri families and businesses; a fiscally responsible budget that makes a record investment in education; a comprehensive revision to our state's criminal code; provisions to strengthen our state by providing protections for privacy and against federal overreach in the areas of health care and energy production; protections to safeguard the lives of the unborn; and legislation that will help put lifesaving medications in the hands of Missourians battling cancer, epilepsy and terminal illnesses. Through our work together, we were able to make great strides in a multitude of areas that will help Missourians from all walks of life across all regions of the state.*

*Within this booklet you will find summaries of the bills I have mentioned, as well as many others. I hope you find this information helpful.*

Very truly yours,

A handwritten signature in black ink, appearing to read "Tim Jones".

Timothy W. Jones

**SPEAKER OF THE HOUSE**



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## **ABBREVIATIONS**

**HB — House Bill**

**HCS — House Committee Substitute**

**HJR — House Joint Resolution**

**HRB — House Revision Bill**

**SB — Senate Bill**

**SCS — Senate Committee Substitute**

**SJR — Senate Joint Resolution**

**SS — Senate Substitute**

**CCS — Conference Committee Substitute**

## **EFFECTIVE DATE OF BILLS**

*Unless they have a referendum clause, all bills are subject to approval or veto by the Governor. Regular session bills approved by the Governor become effective on August 28, 2014, unless another date is specified in the bill or the bill contains an emergency clause. A bill with an emergency clause becomes effective upon approval of the Governor except where a later date is specified.*

***TRULY AGREED TO AND FINALLY PASSED***

**HOUSE BILLS**





## HOUSE APPROPRIATIONS BILLS

<u>House</u> <u>Bill</u>	<u>FY 2014</u> <u>Current Year</u> <u>Budgeted</u>	<u>FY 15</u> <u>TAFP</u>	<u>FY 15</u> <u>After Veto</u>
<b>2001</b>	<b><u>Public Debt</u></b>		
	General Revenue	\$68,095,974	\$64,790,980
	Federal Funds	0	0
	Federal Stabilization	0	0
	Other Funds	2,046,748	3,040,998
	Total	\$70,142,722	\$67,831,978
<b>2002</b>	<b><u>Elementary and Secondary</u> <u>Education</u></b>		
	General Revenue	\$2,897,809,349	\$3,147,405,409
	Federal Funds	1,098,047,023	1,086,371,024
	Federal Stabilization	0	0
	Other Funds	1,508,047,074	1,630,605,938
	Total	\$5,503,903,446	\$5,857,333,371
<b>2003</b>	<b><u>Higher Education</u></b>		
	General Revenue	\$863,988,647	\$948,104,319
	Federal Funds	6,064,165	5,783,795
	Federal Stabilization	0	0
	Other Funds	340,411,690	337,425,964
	Total	\$1,210,464,502	\$1,291,314,078
<b>2004</b>	<b><u>Revenue</u></b>		
	General Revenue	\$100,453,251	\$88,741,937
	Federal Funds	6,600,729	4,104,865
	Federal Stabilization	0	0
	Other Funds	364,726,988	417,570,940
	Total	\$471,780,968	\$510,417,742
<b>2004</b>	<b><u>Transportation</u></b>		
	General Revenue	\$13,644,129	\$17,594,129
	Federal Funds	175,439,098	138,471,517
	Federal Stabilization	0	0
	Other Funds	1,936,969,449	2,018,154,733
	Total	\$2,126,052,676	\$2,174,220,379
<b>2005</b>	<b><u>Office of Administration</u></b>		
	General Revenue	\$138,351,467	\$176,279,939
	Federal Funds	106,701,600	82,168,124
	Federal Stabilization	0	0
	Other Funds	39,123,711	244,085,398
	Total	\$284,176,778	\$502,533,461
<b>2005</b>	<b><u>Employee Benefits</u></b>		
	General Revenue	\$524,310,621	\$558,775,107
	Federal Funds	190,445,876	202,176,516
	Federal Stabilization	0	0
	Other Funds	171,037,687	177,834,099
	Total	\$885,794,184	\$938,785,722

<b><u>House</u></b>		<b>FY 2014</b>	<b>FY 15</b>	<b>FY 15</b>
<b><u>Bill</u></b>		<b><u>Current Year</u></b>	<b><u>TAFP</u></b>	<b><u>After Veto</u></b>
		<b><u>Budgeted</u></b>		
<b>2006</b>	<b><u>Agriculture</u></b>			
	General Revenue	\$10,448,807	\$19,702,867	\$10,449,767
	Federal Funds	4,446,472	4,119,200	4,119,200
	Federal Stabilization	0	0	0
	Other Funds	23,290,257	22,808,719	22,808,719
	Total	\$38,185,536	\$46,630,786	\$37,377,686
<b>2006</b>	<b><u>Natural Resources</u></b>			
	General Revenue	\$12,853,989	\$10,166,999	\$9,858,085
	Federal Funds	59,868,876	50,321,492	50,321,492
	Federal Stabilization	0	0	0
	Other Funds	297,951,856	498,170,316	498,140,316
	Total	\$370,674,721	\$558,658,807	\$558,319,893
<b>2006</b>	<b><u>Conservation</u></b>			
	General Revenue	\$0	\$0	\$0
	Federal Funds	0	0	0
	Federal Stabilization	0	0	0
	Other Funds	147,339,487	148,119,522	148,119,522
	Total	\$147,339,487	\$148,119,522	\$148,119,522
<b>2007</b>	<b><u>Economic Development</u></b>			
	General Revenue	\$58,326,086	\$92,293,983	\$88,324,611
	Federal Funds	222,906,428	215,981,003	215,981,003
	Federal Stabilization	0	0	0
	Other Funds	56,156,148	66,479,076	66,299,076
	Total	\$337,388,662	\$374,754,062	\$370,604,690
<b>2007</b>	<b><u>Insurance Fin Inst Prof Reg</u></b>			
	General Revenue	\$0	\$0	\$0
	Federal Funds	1,773,348	1,780,723	1,780,723
	Federal Stabilization	0	0	0
	Other Funds	38,567,165	39,025,593	39,025,593
	Total	\$40,340,513	\$40,806,316	\$40,806,316
<b>2007</b>	<b><u>Labor and Industrial Relations</u></b>			
	General Revenue	\$2,204,419	\$2,363,480	\$2,363,480
	Federal Funds	67,280,858	56,269,319	56,269,319
	Federal Stabilization	0	0	0
	Other Funds	86,584,656	127,007,214	127,007,214
	Total	\$156,069,933	\$185,640,013	\$185,640,013
<b>2008</b>	<b><u>Public Safety</u></b>			
	General Revenue	\$64,160,551	\$82,678,629	\$74,685,738
	Federal Funds	215,413,587	216,584,319	216,584,319
	Federal Stabilization	0	0	0
	Other Funds	390,207,602	400,265,476	400,244,367
	Total	\$669,781,740	\$699,528,424	\$691,514,424

<b><u>House</u></b>		<b>FY 2014</b>		
<b><u>Bill</u></b>		<b><u>Current Year</u></b>	<b><u>FY 15</u></b>	<b><u>FY 15</u></b>
		<b><u>Budgeted</u></b>	<b><u>TAFP</u></b>	<b><u>After Veto</u></b>
<b>2009</b>	<b><u>Corrections</u></b>			
	General Revenue	\$623,274,962	\$670,432,531	\$667,969,252
	Federal Funds	5,895,653	5,240,196	5,240,196
	Federal Stabilization	0	0	0
	Other Funds	48,230,921	49,483,746	49,483,746
	Total	\$677,401,536	\$725,156,473	\$722,693,194
<b>2010</b>	<b><u>Mental Health</u></b>			
	General Revenue	\$655,285,830	\$733,027,436	\$702,214,408
	Federal Funds	895,507,925	1,028,548,600	989,231,138
	Federal Stabilization	0	0	0
	Other Funds	58,414,072	59,438,122	59,302,153
	Total	\$1,609,207,827	\$1,821,014,158	\$1,750,747,699
<b>2010</b>	<b><u>Health</u></b>			
	General Revenue	\$277,702,486	\$293,511,799	\$284,897,541
	Federal Funds	814,947,687	886,133,488	874,258,837
	Federal Stabilization	0	0	0
	Other Funds	19,443,679	19,541,552	19,541,552
	Total	\$1,112,093,852	\$1,199,186,839	\$1,178,697,930
<b>2011</b>	<b><u>Social Services</u></b>			
	General Revenue	\$1,561,796,448	\$1,553,099,144	\$1,522,600,221
	Federal Funds	4,494,955,903	4,653,616,210	4,604,663,984
	Federal Stabilization	0	0	0
	Other Funds	2,491,055,970	2,505,121,648	2,505,121,648
	Total	\$8,547,808,321	\$8,711,837,002	\$8,632,385,853
<b>2012</b>	<b><u>Elected Officials</u></b>			
	General Revenue	\$49,376,175	\$50,812,537	\$50,632,537
	Federal Funds	21,309,603	21,391,823	21,391,823
	Federal Stabilization	0	0	0
	Other Funds	50,107,219	51,745,567	51,745,567
	Total	\$120,792,997	\$123,949,927	\$123,769,927
<b>2012</b>	<b><u>Judiciary</u></b>			
	General Revenue	\$173,091,690	\$182,366,406	\$181,428,670
	Federal Funds	10,578,824	10,624,985	10,624,985
	Federal Stabilization	0	0	0
	Other Funds	14,348,965	14,368,791	14,368,791
	Total	\$198,019,479	\$207,360,182	\$206,422,446
<b>2012</b>	<b><u>Public Defender</u></b>			
	General Revenue	\$35,257,358	\$39,739,909	\$36,267,671
	Federal Funds	125,000	125,000	125,000
	Federal Stabilization	0	0	0
	Other Funds	2,981,482	2,982,583	2,982,583
	Total	\$38,363,840	\$42,847,492	\$39,375,254

<u>House Bill</u>	<u>FY 2014 Current Year Budgeted</u>	<u>FY 15 TAFP</u>	<u>FY 15 After Veto</u>
<b>2012</b>	<b><u>General Assembly</u></b>		
General Revenue	\$33,026,615	\$35,225,985	\$33,475,985
Federal Funds	0	0	0
Federal Stabilization	0	0	0
Other Funds	292,833	293,540	293,540
Total	\$33,319,448	\$35,519,525	\$33,769,525
<b>2013</b>	<b><u>Statewide Leasing</u></b>		
General Revenue	\$113,289,512	\$76,683,090	\$70,562,638
Federal Funds	22,870,507	18,606,615	18,606,615
Federal Stabilization	0	0	0
Other Funds	15,438,454	13,502,006	13,502,006
Total	\$151,598,473	\$108,791,711	\$102,671,259
	<b><u>Total Operating Budget</u></b>		
General Revenue	\$8,276,748,366	\$8,843,796,615	\$8,699,393,636
Federal Funds	8,421,179,162	8,688,418,814	8,586,505,770
Federal Stabilization	0	0	0
Other Funds	8,102,774,113	8,847,071,541	8,845,623,626
Total	\$24,800,701,641	\$26,379,286,970	\$26,131,523,032
	<b><u>Refunds</u></b>		
General Revenue	\$1,312,394,739	\$1,312,397,139	\$1,312,397,139
Federal Funds	8,240,171	13,350,171	13,350,171
Other Funds	51,335,455	51,585,456	51,585,456
Total	\$1,371,970,365	\$1,377,332,766	\$1,377,332,766

## **Supplemental & Capital Improvement Appropriations**

<b>2014</b>	<b><u>Operating-General Supplemental (FY 2014)</u></b>		
General Revenue		\$165,944,195	
Federal Funds		80,858,320	
Other Funds		<u>80,675,145</u>	
Total		\$327,477,660	
FTE		0.50	
		<b><u>FY 15 TAFP</u></b>	<b><u>FY 15 After Veto</u></b>
<b>2021</b>	<b><u>Capital Improvements</u></b>		
General Revenue		\$47,100,000	\$46,900,000
Other Funds		<u>173,422,046</u>	<u>145,640,000</u>
Total		\$220,522,046	\$192,540,000

**HB 1064 -- INDIVIDUALS WITH DISABILITIES**

This bill removes all references of the phrases “mentally retarded” and “mental retardation” from statute and replaces them with “intellectually disabled” and “intellectual disability.”

**SS HCS HB 1075 -- UNCLAIMED PROPERTY**

This bill changes the laws regarding unclaimed property.

A United States savings bond in possession of the State Treasurer or with an owner whose last known address is located in Missouri must be deemed abandoned when it has remained unclaimed for more than three years after its maturity date and must escheat to the state three years after abandonment. At least 180 days after the bond escheats to the state, the State Treasurer must bring a civil action to confirm that the bond must escheat to the state. The State Treasurer must retain a record of the name and, if known, the last known address of each person named on the savings bond that has escheated to the State of Missouri and which has been redeemed by the State Treasurer.

Currently, certain unclaimed personal property that is held or owing in the ordinary course of business is considered abandoned after seven years and is to be delivered to the state. The bill specifies that any outstanding check, draft, credit balance, customer's overpayment, or unidentified remittance issued to a business entity or association as part of a commercial transaction in the ordinary course of business cannot be presumed abandoned if the holder and the business have an ongoing business relationship.

Beginning January 1, 2015, the abandonment period for a payroll check is reduced from five years to three years.

The bill specifies that business credits between two business entities or associations are not subject to Sections 447.500-447.595, RSMo, the Uniform Disposition of Unclaimed Property Act. The term “business credit” is defined as any credit offered by one business entity to another business entity to be applied in exchange for goods or services but does not have a redeemable cash value.

The State Treasurer must not enforce the provisions of Chapter 447 relating to lost and unclaimed property for a reportable period more than three years after the holder of the property filed a report with the State Treasurer or gave express notice of a dispute to the State Treasurer. If a fraudulent report is filed with the intent to evade escheatment of property, the State Treasurer can enforce these provisions within six years after the report was filed.

If no report is filed, the State Treasurer may enforce these provisions at any time.

The bill creates a statute of limitations for enforcement actions of three years from when a report is filed or when notified of a dispute. That limit is extended to six years if a fraudulent report is filed. Any holder who files a report that is aggrieved by a decision of the State Treasurer must be entitled to an administrative hearing.

When any holder who has filed a report under Section 447.539, regarding abandoned property, is aggrieved by a decision of the State Treasurer, he or she must be entitled to an administrative hearing under the provisions of Chapter 536 and the proceedings instituted by him or her must be deemed a contested case.

The provisions of the bill regarding U.S. savings bonds contain an emergency clause.

**HCS HB 1079 -- INSURANCE DOCUMENTS**

This bill allows notices and documents issued by insurers organized under Chapter 379 or 380, RSMo, and notices and documents relating to life insurance products issued by insurers organized under Chapter 376 to be delivered, saved, stored, and managed in an electronic format in the same way as other documents are currently authorized under Sections 379.011 and 379.012.

The bill allows any insurer, including an insurer organized under Chapter 380, to make policy forms and endorsements available electronically on the insurer's website in lieu of mailing or delivering a paper copy to an insured if the forms and endorsements do not contain personally identifiable information.

**HB 1081 -- PAPERLESS DOCUMENTS AND FORMS ACT**

This bill establishes the Paperless Documents and Forms Act that authorizes the Department of Revenue to use technology to make filing certain forms and sending certain notifications more efficient. In its main provisions, the bill:

(1) Requires, beginning no later than January 1, 2015, the department to develop and implement, by January 1, 2021, a method by which all documents and forms provided to the public by the department and any other documents required by the department relating to taxes and fees are available in an electronic format on-line and are capable of electronic submission to the department except those that require a notary or authorization by a third party;

(2) Specifies that these provisions do not authorize the creation of state-run tax electronic filing of individual income tax returns; and

(3) Allows the department director to use electronic notification of specified information when the taxpayer has consented to its use and provides an e-mail address in lieu of and in full satisfaction of any requirement to provide the notification by mail.

#### **HCS HB 1085 -- DISCLOSURE OF LIBRARY RECORDS**

This bill defines “E-book” and “digital resource or material” and adds them to the items specified in the definition of “library material” that a library patron may use, borrow, or request.

Currently, an employee or agent of a library cannot be required to release or disclose all or a portion of a library record to anyone except the person identified in the record or by a court order. The bill adds any third party contracted by a library that receives, transmits, maintains, or stores a library record to the list of those who cannot release or disclose a record.

A person whose privacy is compromised due to the release of a record may file a written complaint within 180 days of the alleged violation with the Office of the Attorney General describing the facts surrounding the alleged violation. Upon receipt of the complaint, the Attorney General must review each complaint and may initiate legal action if appropriate.

A person whose privacy is compromised may also bring a private civil action in the circuit court of the county in which the library is located to recover damages. The court may award punitive damages and attorney fees to the prevailing party but attorney fees may be awarded to a prevailing respondent only upon a showing that the case is without foundation.

#### **HCS HB 1090 -- DEPARTMENT OF CORRECTIONS EMPLOYEES**

This bill allows a Department of Corrections employee classified as a Corrections Officer I or Corrections Officer II who has accrued any overtime hours to use those hours as compensatory leave time if the leave time is available and agreed on by the employee and his or her supervisor. Compensatory time must be considered accrued on completion of time worked in excess of the employee’s normal assigned shift and it will be the employee’s decision whether to take the time off or request payment for

the hours. An employee must have the right to retain up to 80 hours of compensatory time at any time during the year.

#### **SCS HB 1092 -- CHILD PROTECTION**

This bill changes the laws regarding child protection.

##### **JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT (Section 21.771, RSMo)**

The Joint Committee on Child Abuse and Neglect must make recommendations on how to improve abuse and neglect proceedings including examining the role of the judge, the Children’s Division within the Department of Social Services, the juvenile officer, the guardian ad litem, and the foster parents.

##### **OFFICE OF THE CHILD ADVOCATE (Section 37.710)**

The Office of the Child Advocate within the Office of Administration is authorized to file any pleadings necessary to intervene on behalf of a child at the appropriate judicial level using the resources of the Office of the Attorney General.

##### **CHILDREN’S DIVISION INVESTIGATIONS (Sections 210.145, 210.152, and 210.183)**

The bill changes, from within 30 days to within 45 days, the time period in which the Children’s Division within the Department of Social Services must complete a child abuse or neglect investigation unless good cause for the failure is specifically documented in the information system. Good cause includes the necessity to obtain relevant reports of medical professionals, law enforcement agencies, and third parties which have not been completed and provided to the division; there is specified written documentation that there is a pending criminal investigation of the incident and the issuing of a decision by the division will adversely impact the progress of the investigation; or the child victim, the subject of the investigation, or another witness with information relevant to the investigation is unable or temporarily unwilling to provide complete information within the specified time frames.

If a child fatality or near-fatality is involved in a report of abuse or neglect, the investigation must remain open until the division’s investigation is completed. If an investigation cannot be completed within 45 days, the information system must be updated at regular intervals and upon the completion of the investigation. The investigation must be completed no later than 90 days after receipt of a report of abuse or neglect, no later than 120 days

after receipt of a report involving sexual abuse, or when the division's investigation is complete in a case involving a child fatality or near-fatality.

#### **GUARDIANS AD LITEM (Section 210.160)**

The bill allows a judge to appoint a guardian ad litem to appear for and represent an abused or neglected child involved in proceedings arising when an alleged perpetrator is aggrieved by the decision of the Child Abuse and Neglect Review Board.

#### **SAFE CARE PROVIDER REIMBURSEMENT (Section 334.950)**

The Department of Public Safety must establish rules and make payments to SAFE CARE providers who provide forensic examinations of persons under 18 years of age who are alleged victims of physical abuse out of appropriations made for that purpose. The department must establish maximum reimbursement rates that reflect the reasonable cost of providing the examination.

Only providers for forensic evaluations and case reviews may be reimbursed by the department. To provide reimbursement, the child must be the subject of a child abuse investigation or reported to the Children's Division within the Department of Social Services as a result of the examination.

The bill specifies that a minor may consent to the examination, the consent is not subject to disaffirmance because of his or her status as a minor, and parental consent is not required.

#### **AUTOMOBILE INSURANCE FOR FOSTER CHILDREN (Section 431.056)**

A minor who is 16 years of age or older and who is in the legal custody of the Children's Division under a court order must be qualified and competent to contract for the purchase of automobile insurance with the consent of the division or the juvenile court. The minor, not the state or a foster parent, must be responsible for paying the costs of the insurance premiums and must be liable for any damages as a result of the operation of a motor vehicle by the minor.

#### **STANDING FOR FOSTER PARENTS IN COURT HEARINGS (Section 1)**

A foster parent must have standing to participate in all court hearings pertaining to a child in his or her care.

#### **HB 1125 -- CANDIDATE FILING FOR ELECTIONS**

This bill allows a candidate with a physical disability or a candidate on active duty with the United States

Armed Forces to have a representative draw for his or her placement on an election ballot. Currently, the candidate must draw for placement on the ballot in person.

The bill contains an emergency clause.

#### **SCS HB 1132 -- TAX CREDITS**

*(Vetoed by the Governor)*

This bill specifies that the cumulative amount of tax credits that may be claimed by all the taxpayers contributing to maternity homes in any one fiscal year cannot exceed \$2 million for all fiscal years ending on or before June 30, 2014, and \$2.5 million for all fiscal years beginning on or after July 1, 2014. The bill prohibits the issuance of the tax credit after June 30, 2020.

The cumulative amount of tax credits that may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year cannot exceed \$2 million for all fiscal years ending on or before June 30, 2014, and \$2.5 million for all fiscal years beginning on or after July 1, 2014.

The bill increases the cumulative amount of tax credits that may be claimed by all the taxpayers contributing to a local food pantry in any one fiscal year from \$1.25 million to \$1.75 million.

#### **SCS HB 1136 -- ELECTIONS**

This bill changes the laws regarding elections. In its main provisions, the bill:

(1) Repeals the provision prohibiting a Missouri youth election participant who assists an election authority from being compensated or remunerated for the time served or costs incurred in the performance of his or her duties (Section 115.104, RSMo);

(2) Repeals an obsolete provision regarding the issues that could be placed on the ballot in the August, 2003 election (Section 115.121);

(3) Allows each election authority to have the voting records inspected. Currently, each authority must perform the inspection at least once each year (Section 115.221);

(4) Updates the description of voting machines to specify the current use of electronic voting methods and repeals obsolete references to ballot cards, ballot sealing, ballot counting, and ballot marking practices (Sections 115.231, 115.251, 115.253, 115.257 - 115.273, 115.301, 115.417, 115.420, 115.443 - 115.489, and 115.503);

(5) Updates the description of ballot styles and uses to accommodate current methods of electronic voting while retaining authorization for the use of separate paper ballots for presidential primaries and write-in votes and polling places in general (Sections 115.237 and 115.255);

(6) Repeals the provision exempting specified cities, towns, and villages from the provisions in Chapter 115, including restrictions on a candidate running for office who has a tax arrearage, felony conviction, or has filed for more than one office (Section 115.305);

(7) Adds municipal taxes to the types of taxes that cannot be delinquent in order for a person to be a qualified candidate for office. Currently, a candidate who does not pay his or her municipal taxes is barred from running for office under Section 115.346. This change makes these provisions consistent (Sections 115.342 and 115.346);

(8) Changes the laws to accommodate the current use of electronic poll books (Section 115.431); and

(9) Allows an election authority to use electronic voting machines within the restricted time period when an election contest is filed and another election is to be held while the contest is being decided if the data in the machine is removed and secured (Section 115.495).

#### **HCS HB 1189 -- HIGH SCHOOL GRADUATION REQUIREMENTS**

This bill requires the Department of Elementary and Secondary Education to develop, by July 1, 2015, a high school graduation policy that allows a student to fulfill one unit of academic credit with a district-approved agriculture or career and technical education course for up to four credits, one each in any communications arts, mathematics, science, or social studies unit. The substitution may not be made for a course that requires an end-of-course statewide assessment. The policy must be in addition to the optional waiver of one unit of academic credit for a three-unit career and technical program of studies.

#### **SCS HB 1190 -- FACILITATING RAPID RESPONSE TO DISASTERS**

This bill establishes the Facilitating Business Rapid Response to State Declared Disasters Act. An out-of-state business that is responding to a declared state disaster or emergency or any of its out-of-state employees are not subject to specified state or local employment, licensing, or registration requirements, including registration with the Secretary of State; withholding or income

tax registration, filing, or remitting requirements; and use tax on equipment used or consumed if the equipment does not remain in the state after the disaster period unless the out-of-state business or employee remains in Missouri after the conclusion of the disaster period. An out-of-state business includes a business that is affiliated with a registered business solely through common ownership if that entity does not have any registrations, tax filings, or nexus in the state before the declared disaster or emergency. A prior registration as an out-of-state business for a declared disaster or emergency must not be considered a registration in this state. The employees of an out-of-state business who are responding to a declared disaster in Missouri are not required to file and pay state or local income taxes, to be subject to tax withholdings, or to pay any state or local fee unless the employee remains in Missouri after the conclusion of the disaster period.

The out-of-state business must provide assistance in repairing, renovating, installing, or building infrastructure related to the declared disaster or emergency; notify the Secretary of State within 10 days of entering the state; and provide specified information. The Secretary of State must provide the information to the Department of Revenue within 30 days after receipt of the notification.

These provisions cannot grant the exemptions authorized by the act to any out-of-state business that is performing work pursuant to a request for bid or request for proposal by a state agency or political subdivision.

Specified provisions regarding the tax clearance, financial assurance, and unemployment insurance requirements of a transient employer must not apply to an out-of-state business responding to a disaster in Missouri.

The bill requires the Department of Transportation to issue emergency utility response permits that allow motor carriers to transport equipment and the infrastructure necessary for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of the operation may be made by the motor carrier compliance supervisor or other designated motor carrier services representative. The motor carriers may operate on state highways and roads at any time on any day to assist utility companies granted a permit.

#### **SCS HCS HB 1201 -- SURFACE MINING**

Currently, a proposal to operate a surface mine requires the operator to send a notice of intent to operate a surface mine to the last known address



of any landowner of record with real property that is contiguous or adjacent to the proposed mine plan area. This bill repeals this provision and requires that the notice be sent to the last known address of any real property landowner of record whose property is within one-half mile from the border of the proposed mine plan area and adjacent to the proposed area, land upon which the mine plan area is to be located, or adjacent land having a legal relationship with either the applicant or the owner of the land upon which the mine plan area is located. If any individual who receives the notification requests a public meeting, the applicant must bear the expenses.

Currently, the Land Reclamation Commission evaluates permit applications for proposed surface mining operations. The bill transfers this authority to the staff director of the commission. Upon completion of the notice of intent to operate a surface mine and any public meetings, the staff director must make a decision within six weeks after completion of the process, rather than the current within four weeks after the public notice period, to issue or deny a permit application. In certain cases, the staff director may seek additional information from the applicant before making a decision to issue or deny the permit. In issuing a permit, the staff director may impose reasonable conditions consistent with specified provisions. The staff director's decision must be deemed to be the decision of the Director of the Department of Natural Resources and subject to appeal to the Administrative Hearing Commission.

The bill specifies the criteria that the Administrative Hearing Commission may consider when reviewing the staff director's permit application decision. If the Land Reclamation Commission changes a finding of fact or conclusion of law or modifies or vacates the decision recommended by the Administrative Hearing Commission, it must issue its own decision which must be subject to judicial review. For an appeal of the commission's decision, the court of appeals district with jurisdiction in the county where the mine is to be located must have original jurisdiction. A judicial review cannot be available until and unless all administrative remedies are exhausted.

#### **HB 1206 -- PUBLIC UNIVERSITY PROPERTY TRANSFERS**

Currently, the governing body of each state university, with the exception of the University of Missouri and Truman State University, may convey or transfer property by any method, except in fee simple, without authorization by the General

Assembly until August 28, 2017. This bill removes the expiration date.

The bill contains an emergency clause.

#### **SCS HCS HB 1217 -- PUBLIC EMPLOYEE RETIREMENT BENEFITS**

This bill specifies that any participant in a public employee retirement system established by the State of Missouri or any political subdivision of the state who is found guilty of certain felonies specified in the bill that is committed in direct connection with or directly related to the participant's duties must not be eligible to receive any retirement benefits from the system based on service rendered on or after the effective date of these provisions. The participant may still request a refund of his or her contributions to the system including any credited interest.

Upon a finding of guilty, the court must forward a notice of its finding to the appropriate retirement system and make a determination on the value of money, property, or services involved in committing the offense. All retirement systems must take all actions in order to implement these provisions.

The bill specifies that the right of a person to a public employment retirement benefit cannot be transferred or assigned, at law or in equity. None of the moneys paid or payable or rights existing under a plan can be subject to execution, levy, attachment, garnishment, or other legal process unless expressly authorized by the law that establishes the plan or that is specifically applicable to the plan, including division of benefits orders and any legal process in furtherance of the collection of a judgment or administrative order for child support or spousal support.

A pension assignee cannot use any device, scheme, transfer, or other artifice to evade the applicability and prohibition of these provisions. Any contract or agreement made in violation of these provisions is void and all sums paid to or collected by an assignee must be returned as restitution.

Any benefit recipient, his or her guardian or conservator, or heir or beneficiary or the Attorney General may bring an action to enforce the restitution authorized under these provisions within five years after a violation. Whenever it appears that an individual or entity is engaged or is about to engage in a violation of these provisions, the Attorney General may bring an action to enjoin the act or practice and, upon a proper showing, a temporary restraining order or an injunction must be granted without bond. The Attorney General may

exercise the investigative and enforcement powers authorized under Chapter 407, RSMo.

Nothing in the provisions of the bill can prohibit any action permitted under Chapter 409 pertaining to fraudulent and other prohibited practices regarding securities.

#### **HCS HB 1218 -- LIENS FOR ASSESSMENTS ON CONDOMINIUMS**

This bill specifies the order of preference of liens and encumbrances on a unit owner of a leasehold condominium entered into after August 28, 2014. A lien for the amount of the common expense assessments based on the periodic budget adopted by the leasehold condominium association which would have become due in the absence of acceleration during the six months immediately preceding the date of filing of a petition to enforce the association's lien or the date of sale by the holder of a mortgage or deed of trust has limited priority over a mortgage or deed of trust on a unit. If an association forecloses its lien in a non-judicial manner under Chapter 443, RSMo, the association must not be entitled to the limited lien priority for the common expense assessments.

The association must be entitled to recover any costs and reasonable attorney fees incurred in connection with the collection of delinquent assessments. Attorney fees and costs must not be included in the association's lien.

The association must furnish to any holder of a mortgage or deed of trust, upon written request, a recordable statement of the amount of unpaid assessments against the unit owner's unit.

If a unit is occupied by a tenant and the record owner's assessment fees are delinquent more than 60 days, the association may demand payment of subsequent rental payments until the record owner is no longer delinquent, the association releases the tenant, or the tenant is no longer in possession of the unit. The demand must be in writing to the tenant, with a copy to the record owner, sent via first-class United States mail, postage pre-paid, or hand delivery. A tenant is immune from any claim by the record owner related to the rent timely paid to the association after the association has made written demand. If the tenant fails to make payment to the association, the association may issue notice and evict under Chapter 534. The tenant does not, by virtue of payment, have any rights of a record owner to vote in an election or examine the books and records of the association.

#### **SCS HCS HB 1225 -- SELF-SERVICE STORAGE FACILITIES ACT**

This bill changes the definition of "last known address" under the Self-Service Storage Facilities Act to a postal address or electronic mail address and "public sale" to include a sale conducted on-line at a publicly accessible website. If the rental agreement contains a limit on the value of property stored in an occupant's space, that limit must be deemed to be the maximum value of the stored property and the maximum liability of the owner for a claim for loss of or damage to the stored property.

Currently, if an occupant is in default for a period of more than 30 days, the operator may enforce a lien and sell the property stored in the leased space for cash. The bill changes the time period to if the occupant is in default for more than 45 days.

The bill requires the occupant of a self-service storage facility to provide a written statement containing or to indicate in the rental agreement the name and address of any third-party owner of personal property stored or to be stored in the leased space along with a description of the property and requires the third-party owner to be notified at least 45 days prior to any sale of the stored property.

The bill allows the owner of a storage facility to treat a stored vehicle, watercraft, or trailer as an abandoned vehicle and have it towed from the facility if the rent and other charges remain unpaid for 60 days. The owner of the facility must not be liable for any damages to the abandoned vehicle once the tower takes possession of the property.

#### **CCS SS SCS HCS HB 1231 -- ADMINISTRATION OF JUSTICE**

This bill changes the laws regarding the administration of justice.

##### **JOINT COMMITTEE ON THE JUSTICE SYSTEM (Section 21.880, RSMo)**

The Joint Committee on the Justice System is established consisting of members of the General Assembly and three ex-officio members as specified in the bill, including a member of the House of Representatives and the Senate appointed by the Minority Floor Leader of each chamber. The committee must review and monitor all aspects of the state's justice system as specified in the bill and file a report with the General Assembly by January 15, 2016, and every year thereafter, of its activities and any findings or recommendations for legislative action. The joint committee must establish a

permanent subcommittee on the Missouri criminal code to periodically review the criminal laws of the state. The joint committee may select an advisory committee to aid the subcommittee, consisting of a representative of the Missouri Supreme Court, a representative of the Office of the Attorney General, and other individuals known to be interested in the improvement of the state's criminal laws. The subcommittee must present to the General Assembly a criminal code revision bill as it finds appropriate in each tenth year.

#### PROSECUTING ATTORNEYS AND CIRCUIT ATTORNEYS RETIREMENT SYSTEM (Sections 56.807 and 488.026)

Currently, each county must transfer a specified amount to the Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund based on its classification. Beginning August 28, 2015, each county's contribution must be adjusted in accordance with the specified schedule based upon the Prosecuting Attorneys and Circuit Attorneys' Retirement System's annual actuarial valuation report.

The bill specifies that a \$4 surcharge, payable to the retirement system fund, must be assessed in each criminal case against any person who had pled guilty for any violation and paid a fine through a fine collection center.

#### IMMUNITY FOR LAW ENFORCEMENT OFFICERS (Section 57.095)

The bill specifies that a sheriff or any other law enforcement officer must have immunity from any civil or criminal liability while conducting service of process at the direction of any court to the extent that the officer's actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.

#### STATE LEGAL EXPENSE FUND (Section 105.711)

Currently, for the purposes of the State Legal Expense Fund a "free health clinic" means a nonprofit community health center exempt from federal taxation that provides primary care and preventative services to people without health insurance without charge. The bill changes the term "free health clinic" to "community health clinic" and removes the without charge requirement. The bill excludes specified federally funded community health centers and rural health clinics from the organizations that are eligible to receive payment of a claim from the fund.

#### DRIVER'S AND NONDRIVER'S LICENSES (Sections 302.065 and 302.067)

The bill specifies that a person who has presented documents to the Department of Revenue to obtain a driver's license, nondriver's license, or instruction permit must not be required to present the documents again to obtain a renewal or replacement except for documents that demonstrate lawful presence of an applicant who is not a citizen of the United States, if it is reasonably believed by the department that the prior license was issued as a result of a fraudulent act of the applicant, the applicant is applying for or renewing a commercial driver's license or instruction permit, or in order to correct an error on the license or permit.

#### SAFE CARE PROVIDERS (Section 334.950)

The Department of Public Safety must establish rules and make payments to SAFE CARE providers who provide forensic examinations of persons under 18 years of age who are alleged victims of physical abuse out of appropriations made for that purpose. The department must establish maximum reimbursement rates that reflect the reasonable cost of providing the examination.

Only providers for forensic evaluation and case reviews may be reimbursed by the department. In order to provide reimbursement, the child must be the subject of a child abuse investigation or reported to the Children's Division within the Department of Social Services as a result of the examination.

The bill specifies that a minor may consent to the examination, the consent is not subject to disaffirmance because of his or her status as a minor, and parental consent is not required.

#### JUDGMENTS AND GARNISHMENTS (Sections 408.040, 488.305, and 525.040 - 525.310)

A judgment must accrue interest on the judgment balance, which is the total amount of the judgment awarded on the day the judgment is entered including, but not limited to, principal, prejudgment interest, and all costs and fees. Post-judgment payments or credits must be applied first to post-judgment costs, then to post-judgment interest, and then to the judgment balance.

In a case where a garnishment is granted, the circuit court clerk may charge and collect a surcharge of up to \$10 for the clerk's duties. Any moneys collected from this surcharge must be placed in a fund to be used to maintain and improve case processing and record preservation.

The bill specifies that in the case of a continuous wage garnishment, a notice of garnishment served as required by law must have the effect of attaching all personal property, money, rights, or other choses in action of the defendant until the judgment is paid in full or the employment relationship is terminated, whichever occurs first.

Writs of garnishment which would otherwise have equal priority must have priority according to the date of service, and if the employee's wages have been attached by more than one writ of garnishment, the employer must inform the inferior garnisher of the other garnishments.

When applicable, a garnishee may discharge himself or herself by paying the money or giving the property owed to the defendant to the attorney for the party on whose behalf the order of garnishment was issued. The court may order the delivery of the defendant's property possessed by the garnishee to the attorney for the party on whose behalf the order of garnishment was issued.

The bill allows the garnishee to deduct up to \$20 or a fee previously agreed upon between the garnishee and judgment debtor if the garnishee is a financial institution for his or her trouble and expenses in answering the interrogatories and withholding the funds. The garnishee may file a motion with the court for additional costs incurred in answering the interrogatories.

The bill modifies provisions regarding the issuance of a writ of sequestration. Currently, the wages of state government employees are not subject to direct garnishment but must be collected under a process called sequestration. The bill specifies that the state, municipal, or other political subdivision employer must have the same duties and obligations as a private employer when served with a garnishment. The bill repeals provisions requiring a writ of sequestration when the judgment debtor is an employee of the state, municipality, or other political subdivision and specifies that all garnishments against the employees must proceed in the same manner as any other garnishment.

#### OFFICE OF STATE COURTS ADMINISTRATOR HANDBOOK (Section 452.556)

Currently, each court must mail a copy of the handbook created by the Office of State Courts Administrator to individuals involved in a dissolution of marriage proceeding where minor children are involved. The bill specifies that the court must provide a copy of the handbook.

#### ADMINISTRATIVE CHILD SUPPORT ORDERS (Section 454.500)

The bill allows an additional child to be added to an existing administrative child support order. If the Family Support Division within the Department of Social Services has entered an administrative child support order and an additional child or children not the subject of the order are born to the parties, the division may, following specified actions, modify an underlying child support order to include a single child support obligation for all children of the parties in conformity with Missouri Supreme Court child support guidelines.

#### ORDERS OF PROTECTION (Section 455.007)

Currently, the public interest exception to the mootness doctrine applies to an appeal of a full order of protection which has expired and subjects the person against whom the order was issued to significant collateral consequences by the mere existence of the order after its expiration. The bill removes the requirement that it subjects the person against whom the order is issued to significant collateral consequences by the mere existence of the order after its expiration.

#### WILLS AND TRUSTS (Sections 456.950, 456.4-420, and 474.395)

Any property or interest in property held by a husband and wife as tenants by the entirety or as joint tenants or another form of joint ownership with right of survivorship must be deemed to be held as tenants by the entirety upon its transfer to a qualified spousal trust.

Currently, a no-contest clause in a will or trust is enforceable, which generally means that a beneficiary forfeits interest in the will or trust property if he or she contests the trust or will. The bill specifies that if a trust instrument containing a no-contest clause is or has become irrevocable, as defined in the bill, an interested person may file a petition with a court for a ruling on whether a particular claim for relief would trigger application of the no-contest clause or trigger a forfeiture that is enforceable under applicable law and public policy. The petition for the ruling must be verified under oath and may be filed as a separate judicial proceeding or along with other claims for relief in a single proceeding. The bill specifies that when ruling on the petition, the court must consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. The court must not accept evidence beyond the pleadings and

the trust instrument except as required to resolve an ambiguity in the no-contest clause.

An order or judgment on the application of a no-contest clause must be subject to appeal as with other final judgments. Following the ruling, if claims are subsequently filed that are materially different than those upon which the no-contest clause order or judgment is based, the party in whose favor the order or judgment was entered must have no protection from enforcement of the no-contest clause provided under these provisions to the extent the new claims are raised.

The bill specifies the types of circumstances in which a no-contest clause is not enforceable, including filing a claim objecting to the jurisdiction or venue of the court or filing a claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee. In these situations, the court may award attorney fees and costs to any party.

If a will contains a no-contest clause, an interested person may file a petition with the court for a determination whether a particular claim for relief would trigger application of the no-contest clause or trigger a forfeiture that is enforceable under applicable law and public policy.

#### MISSOURI SUPREME COURT AND COURT OF APPEALS COMMISSIONERS (Sections 476.445 - 477.191)

The obsolete provisions referencing the commissioners of the Missouri Supreme Court and the commissioners of the Court of Appeals are repealed.

The bill modifies the specified number of judges to serve in each district of the court of appeals to reflect the current number authorized by statute.

#### JUDGESHIP POSITIONS (Sections 478.320 - 478.740)

The bill repeals the provisions requiring one additional associate circuit judge position when the Office of State Courts Administrator indicates in an annual judicial weighted workload model for three or more consecutive years the need for four or more full-time judicial positions in any judicial circuit with a population of 100,000 or more.

Beginning in Fiscal Year 2015, there must be 20, instead of the current 19, circuit judges in the 21st Judicial Circuit, and they must sit in 20 divisions. There must be one additional associate circuit judge position in the circuit starting in Fiscal Year 2015 that must not be included in the statutory formula for authorizing additional judgeships per county.

There must be 10, instead of the current nine, associate circuit judges in the 16th Judicial Circuit. The tenth associate circuit judgeship position must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

Beginning in Fiscal Year 2015, there must be one additional associate circuit judge in the 31st Judicial Circuit, and there must continue to be the associate circuit judge position authorized in Fiscal Year 2014. These positions must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

Beginning in the Fiscal Year 2015, there must be one additional associate circuit judge position in the 11th Judicial Circuit. The judge must be elected in 2016 and the position must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

There must be one more additional associate circuit judge position in Boone County than is authorized in the statutory formula for authorizing additional associate circuit judgeships per county.

There must be two circuit judges in the 38th Judicial Circuit, and these judges must sit in divisions numbered one and two. The circuit judge in division two must be elected in 2016, and the position must not be considered vacant or filled until January 1, 2017. The judge in division one must be elected in 2018.

#### COURT RECORDS (Section 483.140)

The provisions requiring every judge to examine and superintend court records must not be construed to permit the adoption of any local court rule that grants a judge the discretion to remove or direct the removal of any pleading, file, or communication from a court file or record without the agreement of all parties.

#### MUNICIPAL COURT FUNDS (Section 488.014)

The bill specifies that any overpaid funds owed to a municipal division of the circuit court not exceeding \$5 may be retained by the municipality for the operation of the municipal court.

#### 31ST JUDICIAL CIRCUIT SURCHARGE (Section 488.2206)

In addition to all court fees and costs, a surcharge of up to \$10 must be assessed as costs in each criminal proceeding filed in the 31st Judicial Circuit except in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when the costs are to be paid by the state, county, or municipality. For violations of the general

criminal laws of the state or county ordinances, a surcharge must not be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must only be used to pay for the costs associated with the land assemblage and purchase, construction, maintenance, and operation of any county or municipal judicial facility.

#### **SURCHARGE FOR MUNICIPAL VIOLATIONS IN THE CITY OF FLORISSANT (Section 488.2245)**

The City of Florissant is authorized to impose an additional court cost of up to \$10 for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.

The city can only use the additional costs for the land assemblage and purchase, construction, maintenance, and upkeep of a municipal courthouse.

#### **STATUTE OF LIMITATIONS (Section 516.140)**

The bill adds an action for injurious falsehood to the types of actions that must be brought within two years after the cause accrued.

#### **JUDGMENT FOR UNPAID RENT (Section 516.350)**

The bill specifies that any judgment, order, or decree awarding unpaid rent may be revived upon specified publication requirements and does not need to be personally served on the defendant.

#### **SUPERVISION OF COMMUNITY SERVICE WORK (Section 537.602)**

The bill specifies that any entity that supervises community service work performed as a requirement for deferment of any criminal charge under a written agreement with a federal, state, or local prosecutor or any entity that derives benefits from the performance of community service work must be immune from any suit by the person performing the community service work or by any person deriving a cause of action from the person performing the community service work if that cause of action arises from the supervision of the work performed. The entity supervising the work must not be immune from any suit for gross negligence or for an intentional tort.

#### **PROTESTS AT FUNERAL SERVICES (Section 574.160)**

The bill specifies that a person commits the offense of unlawful funeral protest, a class B misdemeanor, if he or she pickets or engages in other protest activities within 300 feet of a residence, cemetery, funeral home, church, synagogue, or

other establishment during or within one hour before or one hour after the conducting of any funeral or burial service at that place. These provisions do not apply to a funeral procession while it is in transit beyond the 300-foot zone. The offense is a class A misdemeanor if the offense is committed by a person who has previously been found guilty of a violation of these provisions.

The bill repeals Sections 578.501 through 578.503, known as the Spc. Edward Lee Myers' Law, regarding unlawful picketing or other protest activities at a location at which a funeral is held.

#### **DISARMING A PEACE OFFICER OR A CORRECTIONAL OFFICER (Section 575.153)**

The bill changes the laws regarding the crime of disarming a peace officer or a correctional officer by specifying that a person also commits the crime by intentionally removing a less-lethal weapon from a peace officer or a correctional officer including any blunt impact, chemical, or conducted energy device used in the performance of his or her official duties while the officer is acting within the scope of his or her official duties or intentionally depriving a peace officer or a correctional officer of a less-lethal weapon while the officer is acting within the scope of his or her official duties.

#### **CRIMES BY SEXUALLY VIOLENT PREDATORS (Section 632.520)**

An offender ordered or committed to the Department of Mental Health after being determined by a court to be a sexually violent predator who knowingly commits violence to an employee of the department or to another offender housed in a secure facility must be guilty of a class B felony. An offender who knowingly damages any building or other property owned or operated by the department is guilty of a class C felony.

#### **CYBER CRIME INVESTIGATION FUND AND TASK FORCE (Section 650.120)**

The provision requiring the General Assembly to annually appropriate \$3 million to the Cyber Crime Investigation Fund is repealed.

The program to distribute grants to multi-jurisdictional Internet crime law enforcement task forces through the fund is reauthorized until December 31, 2024. The provisions regarding the program had expired on June 5, 2012.

The provisions of the bill regarding judgments and garnishments become effective on January 1, 2015.

The provisions of the bill regarding judgeship positions contain an emergency clause.

**HCS HB 1237 -- NONRESIDENT ENTERTAINER INCOME TAX**

This bill extends the allocations of state income tax revenues collected from nonresident entertainers and professional athletic team members to the Missouri Arts Council Trust Fund, Missouri Humanities Council Trust Fund, Missouri State Library Networking Fund, Missouri Public Television Broadcasting Corporation Special Fund, and Missouri Historic Preservation Revolving Fund from December 31, 2015, to December 31, 2020, subject to appropriations.

**SCS HB 1238 -- COURT COSTS**

This bill changes the laws regarding court costs. In its main provisions, the bill:

(1) Extends, from December 31, 2014, to December 31, 2019, the expiration date of the provisions authorizing Franklin County to impose an additional court fee of \$10 on any party filing a civil case in the circuit court with the exception of cases concerning adoption and those in small claims court;

(2) Increases, from \$2 to up to \$4, the surcharge that may be collected for each criminal case in cities or counties with a domestic violence shelter;

(3) Specifies that in addition to all court fees and costs, a surcharge of up to \$10 must be assessed as costs in each criminal proceeding filed in the 31st Judicial Circuit except in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when the costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, a surcharge must not be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must only be used for the costs associated with the land assemblage and purchase, construction, maintenance, and operation of any county or municipal judicial facility; and

(4) Allows the City of Kansas City to impose an additional court cost of up to \$5 for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge. The judge may waive the assessment of the additional cost if the judge finds the defendant to be indigent and unable to pay the costs. The city can only use the additional costs for the restoration, maintenance, and upkeep of the municipal courthouse. These provisions will expire on August 28, 2021.

**HB 1245 -- DUPLICATE VERSIONS OF STATUTES**

This bill repeals the duplicate version of specified statutes to allow the law to be administered uniformly. In its main provisions, the bill repeals the duplicate provisions regarding:

(1) The Coordinating Council on Special Transportation which are obsolete (Section 208.275, RSMo);

(2) Special event motor vehicle auction licenses (Section 301.580);

(3) The specialty license plate for a member of the National Wild Turkey Federation (Section 301.3166);

(4) The specialty license plate for a supporter of the American Red Cross (Section 301.3168);

(5) The specialty license plate for a member of the National Rifle Association (Section 301.3170);

(6) The exemption on the restrictions on agricultural land in specified counties used by a corporation or limited partnership for the production of swine or swine products (Section 350.016);

(7) The issuance of certificates or permits for the transportation of hazardous materials (Section 390.280);

(8) The requirement for every purchaser of or dealer in junk, scrap metal, or any secondhand property to keep a record of each purchase or trade of specified metal or catalytic converters containing specified information (Section 407.300); and

(9) The Statewide Court Automation Fund and the Court Automation Committee (Section 476.055).

**HCS HB 1261 -- TRANSPORTATION DEVELOPMENT DISTRICTS**

*(Vetoed by the Governor)*

This bill requires the State Auditor to report to the Department of Revenue any transportation development district that fails to timely submit its annual financial statement to the State Auditor and the authorized amount of the fine. The Department of Revenue is required to collect the authorized fine and annually distribute the revenues, less a collection fee, to the schools of the county where the district is located in the same manner that penalties, forfeitures, and fines for penal code violations are distributed.

At its first meeting, the board of directors of a district must notify the State Auditor that the district has been established.

The actual costs of a statutorily required or petition audit of a district performed by the State Auditor must be paid by the district and cannot exceed the

greater of 3% of the district's gross revenues or 3% of its expenditures.

#### **SS SCS HB 1270 -- CREDIT CARD PROCESSING SERVICES**

Beginning with new contracts or agreements entered into after August 28, 2014, this bill requires any person or entity that offers a credit card processing service in this state to disclose in writing, in at least an eight-point font, the term and effective date of the contract, the amount of any monthly minimum fee or charge for the service, and the amount of any fee or charge for terminating the contract or agreement.

These provisions cannot limit the rights or remedies otherwise available to any person or entity contracting for this service. The obligations under these provisions are cumulative and do not limit the obligations imposed under any other state or federal law.

These provisions cannot apply to a state or national bank or savings association, a credit union, or a trade or business organization or association that offers a credit card processing service or is a party to a contract that offers a credit card processing service or to the parent, affiliate, or subsidiary of any bank, savings association, or credit union that offers a credit card processing service.

#### **SCS HCS HB 1296 -- TAXES BASED ON SALES**

*(Vetoed by the Governor)*

This bill changes the laws regarding taxes based on sales.

Currently, in determining what portion of a corporation's income is taxable in Missouri, the business may use a method whereby the ratio of instate sales to total sales is multiplied by the net income. A method for determining whether sales of tangible property are to be considered instate is already established in current law. The bill specifies a process for all other sales.

For sales of real property or rentals of tangible personal property, the portion of the property sold or rented that is located in this state must be considered an instate sale. For sales of service, the portion of the benefits delivered to purchasers in this state must be considered an instate sale.

For rentals or licenses of intangible property, the portion used in this state by the rentee or licensee must be considered an instate sale. Intangible property used for marketing must be considered used in this state if the good or service being marketed is purchased by a consumer in this state.

Franchise fees or royalties for intangible property must be considered used in this state if the franchise is located in this state.

For sales of intangible property, the portion of the sale used in this state must be considered an instate sale. If the sale is for the right to conduct business activity in a certain geographic area, the sale must be considered instate if the geographic area is in this state. If receipts for sales of intangible property are dependent on use or productivity, the sale must be considered a lease or rental of intangible property. All sales of intangible property other than the right to conduct business in a specific area or sales with receipts contingent on productivity or use must be excluded from the sales factor when determining corporate income tax.

If it cannot be determined or reasonably approximated that a sale occurs in this state, the sale must be excluded from the sales factor for corporate income taxation.

The bill adds a graphing calculator with a value of \$150 or less to the list of items that are exempt from state sales tax during the annual sales tax holiday for school supplies.

The prohibition is removed and a seller is allowed to advertise that the required sales tax will be assumed or absorbed into the price of the property sold or the service rendered if the amount of the tax is stated on the invoice or receipt.

#### **HCS HRB 1298 -- EXPIRED, INEFFECTIVE, AND OBSOLETE STATUTES**

This revision bill repeals various expired, ineffective, and obsolete provisions of Missouri statutes as identified and endorsed by the Joint Committee on Legislative Research in its 2014 Annual Report.

#### **SCS HCS HRB 1299 -- EXECUTIVE BRANCH REORGANIZATIONS**

This bill changes the laws based on executive branch reorganizations within the departments of Social Services, Labor and Industrial Relations, Economic Development, Health and Senior Services, Public Safety, and Transportation that have not been updated since the adoption of the Reorganization Act of 1974. In its main provisions, the bill:

(1) Renames the Division of Design and Construction in the Office of Administration to the Division of Facilities Management, Design and Construction and the Division of Data Processing and Telecommunications to the Information Technology



Services Division (Sections 3.070 - 8.360, 8.800 - 34.031, 37.005 - 37.010, 37.110, 161.935, 217.575, 251.100 - 261.010, 311.650 - 320.260, 334.125, 361.010, 610.029, 620.1100, and 620.1580, RSMo);

(2) Eliminates the Division of Family Services in the Department of Social Services and transfers its duties and authority to the department, the Division of Child Support Enforcement that is renamed the Family Support Division, or the Children's Division and updates statutory references accordingly (Sections 8.700, 64.090 - 143.790, 160.700, 167.034 - 169.520, 172.875, 191.737, 193.075, 193.215, 198.026, 198.029, 198.428, 205.960 - 208.150, 208.154, 208.157, 208.180 - 208.190, 208.210, 208.325 - 208.405, 208.636, 209.010 - 209.240, 210.001 - 210.870, 210.950 - 211.477, 226.805, 285.300, 324.032, 452.345 - 516.350, 590.040, 595.030, 632.070, 660.010, 660.130 - 660.526, 660.690, and 701.336);

(3) Eliminates the Division of Job Development and Training within the Department of Labor and Industrial Relations and transfers its authority and duties to the Division of Workforce Development within the Department of Economic Development, removes obsolete federal program references, and updates the appropriate statutory references (Sections 36.030, 186.019, and 620.010 - 620.572);

(4) Renames the Missouri Minority Business Development Commission to the Missouri Minority Business Advocacy Commission (Sections 37.013 and 37.016);

(5) Repeals an outdated provision requiring the Department of Economic Development and the Office of Administration to develop a plan to increase procurements from minority businesses by all state departments and submit that plan to the Governor by July 1994, and requires the Office of Administration, instead of the department, to furnish administrative support and staff to the Missouri Minority Business Advocacy Commission (Section 37.014);

(6) Requires the State Highways and Transportation Commission, instead of the Division of Highway Safety, to prepare and upon request supply forms for specified written accident reports (Section 43.251);

(7) Eliminates the Division of Aging within the Department of Social Services and transfers its authority and duties to the Department of Health and Senior Services, removes obsolete language regarding the Governor's Advisory Council on Aging, and updates the appropriate statutory references (Sections 143.1002, 178.893 - 186.019, 192.1000 - 192.1104, 197.312 - 198.018, 198.077 - 198.090, 198.421, 198.510, 198.515, 208.300, 208.533 -

208.621, 210.900, 226.805, 338.314, 660.060, and 660.620);

(8) Transfers the duty to establish a procedure for the reimbursement of the costs of tuition, books, and fees to any public community college or vocational or technical school under the A+ Schools Program from the Commissioner of Education by rule and regulation to the Department of Higher Education (Section 160.545);

(9) Transfers specified duties of the Department of Elementary and Secondary Education regarding minority teaching scholarships to the Department of Higher Education (Sections 161.418 and 161.424);

(10) Renames the Division of Medical Services within the Department of Social Services as the MO HealthNet Division and updates the appropriate statutory references (Sections 161.905, 189.095, 191.853, 192.601, 192.1106, 198.189, 208.072, 208.152, 208.168 - 208.176, 208.204, 208.217, 208.225, 208.471, 208.477, 208.780, 376.819, 630.097, and 660.075);

(11) Transfers the Missouri Assistive Technology Advisory Council from the Office of Administration to the Department of Elementary and Secondary Education (Section 161.920);

(12) Eliminates the Division of Child Support Enforcement within the Department of Social Services and transfers its authority and duties to the Family Support Division in the department (Sections 193.075, 193.215, 208.636, 285.300, 454.460, 454.472 - 454.490, 454.496, 454.505 - 487.080, and 516.350);

(13) Transfers the Life Sciences Research Board from the Office of Administration to the Department of Economic Development and changes it from a III division to a III agency (Section 196.1103);

(14) Transfers from the Department of Labor and Industrial Relations to the Department of Elementary and Secondary Education specified duties regarding telecommunication for the hearing or speech-impaired (Section 209.251);

(15) Transfers all the authority, powers, duties, and functions of the Division of Highway Safety in the Department of Public Safety relating to the motorcycle safety program, the driver improvement program, the ignition interlock program, and other state highway safety programs to the State Highways and Transportation Commission in the Department of Transportation (Sections 226.008, 302.133 - 302.178, 577.608, and 650.005);

(16) Allows any person to appeal to the Administrative Hearing Commission, instead of the

Labor and Industrial Relations Commission, any decision made by the Department of Public Safety regarding a claim filed on or after August 28, 2014, for compensation to victims of crime and specifies a person's rights regarding the appeal (Sections 595.036 - 595.060, 610.120, and 621.275);

(17) Transfers the authority, powers, functions, records, personnel, property, contracts, and other pertinent vestiges of the Division of Employment Security within the Department of Labor and Industrial Relations related to job training and labor exchange that are funded with or based upon Wagner-Peyser funds and other federal and state workforce development programs administered by the Division of Employment Security to the Division of Job Development and Training that is renamed the Division of Workforce Development within the Department of Economic Development (Sections 620.010 - 620.572);

(18) Repeals an outdated provision requiring the Missouri Minority Advocacy Commission to submit a plan to increase procurement from minority businesses by state departments and to recommend legislation to the General Assembly (Section 33.753);

(19) Repeals provisions allowing employees of the Missouri Rehabilitation Center to organize and file an application as a not-for-profit corporation for the purpose of establishing a child day care center (Section 199.025); and

(20) Repeals obsolete provisions regarding private industry councils under the Job Training Partnership Act that were repealed by Section 199 of the Workforce Reinvestment Act (Section 620.483).

#### **HCS HB 1300 -- FIRE PROTECTION DISTRICT BOARD MEETINGS**

This bill authorizes a quorum of a fire protection district board to meet in person or via telephone, facsimile, Internet, or any other voice or electronic means, without public notice, in order to authorize the disbursement of funds necessary for the deployment of Missouri Task Force One or any urban search and rescue task force that is activated by the Federal Emergency Management Agency, State Emergency Management Agency, or statewide mutual aid. The board must keep minutes of the emergency meeting and disclose during its next regularly scheduled meeting that an emergency meeting occurred, why it was called, and that the minutes are available as a public record of the board.

#### **HB 1301 -- KANSAS CITY POLICE RETIREMENT SYSTEMS**

This bill corrects erroneous intersectional references in Sections 86.900 and 86.1220, RSMo, regarding the Kansas City Police Employees' Retirement Systems.

#### **HCS HB 1302 -- WOOD BURNING APPLIANCES**

This bill prohibits the Department of Natural Resources from regulating the manufacture, performance, or use of residential wood burning heaters or appliances through a state implementation plan or otherwise unless authorized to do so by the General Assembly. Any rule or regulation establishing or enforcing performance standards for residential wood burning heaters or appliances cannot become effective unless first approved by the Joint Committee on Administrative Rules.

A new rule or regulation cannot be applied to existing wood burning furnaces, stoves, fireplaces, or heaters that individuals are currently using as their source of heat for their homes or businesses. All wood burning furnaces, stoves, fireplaces, and heaters existing on August 28, 2014, may not be subject to any rules or regulations enacted after that date. An employee of the state or a state agency cannot enforce any new rules or regulations against the existing wood burning furnaces, stoves, fireplaces, and heaters.

#### **HCS HB 1303 -- MISSOURI STUDENT RELIGIOUS LIBERTIES ACT**

This bill establishes the Missouri Student Religious Liberties Act, which prohibits a school district from discriminating against a student or parent on the basis of a religious viewpoint or expression. A student's expression of a religious viewpoint on an otherwise permissible subject must be treated like a student's expression of a secular viewpoint on an otherwise permissible subject. Students may express their religious beliefs in homework, artwork, and other written and oral assignments free from discrimination, and it must be judged on ordinary academic standards. Students may pray or engage in religious activities before, during, and after school in the same manner and to the same extent they may engage in nonreligious activities and must be given the same access to facilities as other noncurricular groups, including the ability to advertise or announce meetings. Students may wear clothing, accessories, and jewelry that display religious messages or symbols in the same manner

and to the same extent that other types of clothing, accessories, and jewelry that display messages or symbols are permitted.

Each school district must adopt a policy that includes the establishment of a limited public forum for student speakers at all school events at which a student is to speak in public. The policy must require the district to provide the forum in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint; provide a method for the neutral selection of student speakers at school events and graduation ceremonies; ensure that a speaker does not engage in obscene, vulgar, offensively lewd, or indecent speech; and state that a student's speech does not reflect the district's endorsement, sponsorship, position, or expression of the district. The disclaimer must be provided at all graduation ceremonies and at any other event where a need exists to dispel confusion over the district's nonsponsorship of a student's speech.

These provisions must not be construed to allow the state or any of its political subdivisions to require a person to participate in prayer or in any other religious activity or to violate any person's constitutional rights nor to limit the authority of any public school to maintain order and discipline in a neutral manner; protect the safety of students, employees, and visitors of the school; or adopt and enforce policies on student speech that do not violate the rights of students as guaranteed by law.

#### **SCS HCS HB 1304 -- SALE OF INTOXICATING LIQUOR**

This bill specifies that beer brewed for personal or family use under Section 311.055, RSMo, to be distributed at an organized event with a general admission fee at which the beer is available without a separate charge must not be deemed a retail sale. The person who brewed the beer must not receive any portion of the admission fee and all consumption must be conducted off licensed retail premises as authorized by specified types of temporary retail licenses or on a tax-exempt organization's premises.

Currently, an "original package" as it applies to a permit authorizing the sale of malt liquor must be construed as any package containing three or more standard bottles of beer. The bill changes it to any package containing one or more standard bottles, cans, or pouches of beer.

The provision of the bill regarding an original package of liquor will become effective January 1, 2015.

#### **SCS HCS HBs 1307 & 1313 -- WAITING PERIOD FOR ABORTIONS**

*(Vetoed by the Governor)*

Currently, there is a minimum 24-hour waiting period before a woman can have an abortion. This bill increases the minimum waiting period to 72 hours.

The bill specifies that if the provisions requiring a 72-hour waiting period for an abortion are ever temporarily or permanently restrained or enjoined by judicial order, the waiting period for an abortion must be 24 hours. However, if the temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, the waiting period for an abortion must be 72 hours.

#### **HB 1320 -- BREAST-FEEDING**

Currently, a mother may, with as much discretion as possible, breast-feed her child in any public or private location where the mother is otherwise authorized to be. This bill removes the requirement that a mother use as much discretion as possible and instead requires that the mother use discretion and allows a mother to also express breast milk in any public or private location where the mother is otherwise authorized to be.

The bill specifies that the act of a mother breast-feeding a child or expressing milk in a public or private location where the mother and child are otherwise authorized to be must not:

(1) Constitute sexual conduct or sexual contact as defined in Section 566.010, RSMo; or

(2) Be considered an act of public indecency, indecent exposure, sexual conduct, lewd touching, or obscenity or any other similar term for purposes of state or municipal law.

A municipality must not enact an ordinance that prohibits or restricts a mother from breast-feeding a child or expressing breast milk in a public or private location where the mother and child are otherwise authorized to be.

The bill adds a nursing mother to the list of individuals entitled to be excused from jury service upon her request and with a completed written statement from her physician to the court certifying that she is a nursing mother.

**SS SCS HCS HB 1326 -- AGRICULTURE***(Vetoed by the Governor)*

This bill changes the laws regarding agriculture.

**DESIGNATION OF CAPTIVE CERVIDS AS LIVESTOCK** (Sections 144.010, 262.900, 265.300, 267.565, and 277.020, RSMo)

The bill adds captive cervids to the definition of “livestock” for the purposes of the state sales and use tax laws, urban agricultural zones, meat inspection laws, the Missouri Livestock Disease Control and Eradication Law, and the Missouri Livestock Marketing Law.

**MISSOURI DAIRY REVITALIZATION ACT OF 2014** (Sections 261.270 - 261.275)

The Missouri Dairy Revitalization Act of 2014 is established that:

(1) Creates the Missouri Dairy Industry Revitalization Fund and requires moneys in the fund, upon appropriation, to be used solely to enhance and improve Missouri’s dairy and dairy processing industries as specified in the bill;

(2) Requires, each fiscal year, the University of Missouri to conduct or contract with an independent research company to conduct research to determine the estimated sales tax revenue generated in the state from the sales of dairy products and to provide the estimate to the Department of Agriculture by October 1 of each year;

(3) Specifies that no more than 40% of the estimated sales tax revenue generated from the sales of dairy products during the preceding fiscal year may be appropriated from the General Revenue Fund to the Missouri Dairy Industry Revitalization Fund and must be expended in the following order of priority:

(a) To the newly established Dairy Producer Margin Insurance Premium Assistance Program;

(b) To the newly established Missouri Dairy Scholars Program; and

(c) To the newly established Commercial Agriculture Program;

(4) Requires the department to establish and administer, through the Missouri Agricultural and Small Business Development Authority (MASBDA), a dairy producer margin insurance premium assistance program for the purpose of assisting dairy producers who participate in the federal margin protection program in the federal Agricultural Act of 2014;

(5) Specifies that all dairy producers who participate in the federal margin protection program must be eligible to apply to participate in the dairy producer margin insurance premium assistance program and requires a producer to apply with MASBDA by January 1 of each year;

(6) Specifies that a participating dairy producer who has paid his or her annual federal premium payment and provides proof of the payment to MASBDA must be eligible to receive 70% of his or her federal premium payment up to a maximum premium reimbursement rate of \$.34 per hundredweight of milk;

(7) Requires the University of Missouri and MASBDA to provide risk management training for Missouri dairy producers annually;

(8) Establishes the Missouri Dairy Scholars Program, administered by the department, to annually make available, subject to appropriation, up to 80 scholarships in an amount of \$5,000 each to eligible students in an agriculture-related degree program in a Missouri college or university who make a commitment to work in Missouri’s agriculture industry as specified in the bill; and

(9) Requires the University of Missouri’s Commercial Agriculture Program to conduct an annual study of the dairy industry, develop a dairy-specific plan for how to grow and enhance the dairy and dairy processing industries in Missouri, and report the results of the study to the department and all agriculture-related legislative committee chairpersons by January 1 of each year. The costs for the study must be subject to appropriations and paid out of the Missouri Dairy Industry Revitalization Fund.

**URBAN AGRICULTURAL ZONES** (Section 262.900)

The bill modifies the definition of “processing UAZ” to include a type of UAZ that processes produce for human consumption. The bill requires any local sales tax revenues received from the sale of agricultural products sold by a mobile unit, defined as a motor vehicle, associated with a vending UAZ to be deposited into the Urban Agricultural Zone Fund. Fund moneys must be equally allocated to school districts and to municipalities that have urban agricultural zones for UAZ improvements. A municipality’s allocation of fund moneys must be based upon the municipality’s percentage of local sales tax revenues deposited into the fund.

**MISSOURI LIVESTOCK MARKETING LAW  
(Section 277.040)**

The bill specifies that all license fees collected under the Missouri Livestock Marketing Law cannot yield revenue greater than the total cost of administering the law during the ensuing year.

**CERTIFIED COMMERCIAL PESTICIDE  
APPLICATORS (Section 281.065)**

Currently, a certified commercial pesticide applicator must furnish evidence of financial responsibility with the Director of the Department of Agriculture in order to receive a license. The bill removes the requirement to furnish the evidence for license renewal unless upon request of the department. Annual renewals for surety bonds or liability insurance must be maintained at the business location from which the applicator is licensed. If the department director so requests in writing, the applicator must furnish a copy of the bond or certificate within 10 working days of receiving the request. The amount of the required bond or insurance is increased from not less than \$25,000 to not less than \$50,000 for each occurrence. The applicator must immediately notify the department director of the cancellation or reduction of financial responsibility for any applicator or employer of the applicator. The applicator or applicator's employer must maintain the bond or insurance certificate at the business location from which the applicator is licensed. If the financial responsibility furnished becomes unsatisfactory, new financial responsibility instruments must be immediately executed and maintained at the business location.

**VEHICLES HAULING LIVESTOCK AND  
AGRICULTURAL PRODUCTS (Section 304.180)**

The bill repeals the provisions prohibiting the total gross weight of any vehicle or combination of vehicles hauling livestock from exceeding 85,500 pounds while operating on specified state highways with the exception of vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways and specifies that the total gross weight of any vehicle or combination of vehicles hauling livestock or agricultural products, not including local log trucks, or hauling milk from a farm to a processing facility cannot exceed 85,500 pounds while operating on highways other than the interstate highway system with the specified exception.

**LARGE ANIMAL VETERINARY STUDENT LOAN  
PROGRAM (Sections 340.381 and 340.396)**

The bill renames the Large Animal Veterinarian Student Loan Program as the Dr. Merrill Townley

Large Animal Veterinary Student Loan Program and repeals the expiration date of the provisions regarding the program.

**FOREIGN OWNERSHIP OF AGRICULTURAL LAND  
(Section 442.571)**

Currently, the sale, transfer, or acquisition of any agricultural land by an alien or foreign business must be approved by the Director of the Department of Agriculture. The bill requires a sale or transfer of agricultural land by an alien or foreign business to be submitted to the department director for review only if there is no completed Internal Revenue Service Form W-9 signed by the purchaser. Any security interest in the agricultural land held by a person as an agent, trustee, or other fiduciary for an alien or foreign business cannot be divested or invalidated by a violation of specified provisions regarding aliens and corporations of foreign countries acquiring and holding real estate.

**LIABILITY FOR LIVESTOCK ACTIVITIES  
(Section 537.325)**

Currently, an equine activity sponsor or an equine professional have limited liability for injuries or death from accidents resulting from the inherent risks of equine activities. The bill expands the limited liability to include a livestock activity sponsor, a livestock owner, a livestock facility, and a livestock auction market for injuries or death of a participant resulting from the inherent risks of livestock activities with the exception of specified circumstances.

Livestock activities include grazing, herding, feeding, branding, milking, or other activities that involve the care or maintenance of livestock; a livestock show, fair, competition, or auction; a livestock training or teaching activity; boarding livestock; and inspecting or evaluating livestock.

Currently, equine activity sponsors must post a warning sign on or near specified areas where equine activities are conducted. The bill requires the warning sign to also be posted where livestock activities are conducted.

**LABELING OF MOTOR FUEL PUMPS (Section 1)**

The bill requires the Department of Agriculture to propose a rule regarding renewable fuels and the labeling of motor fuel pumps by January 1, 2015.

**BEEF COMMODITY MERCHANDISING PROGRAM  
(Section 275.352)**

The bill repeals the provision that prohibits the state from collecting fees under the Beef Commodity Merchandising Program in excess of the amount credited against the obligation to pay any federal assessments.

The bill contains a severability clause and if any provision of the bill or its application to anyone or to any circumstance is held invalid, the remainder of the provisions and the application of the provisions to others or other circumstances must not be affected.

#### **HB 1359 -- VENDORS AT CERTAIN STATE BUILDING EVENTS**

*(Vetoed by the Governor)*

This bill specifies that the Missouri State Capitol Commission must have the sole authority to enter into contracts with vendors for the sale of items, food, and beverages at events held at the State Capitol. The events must be limited to those commemorating the anniversaries of the State Capitol and the State of Missouri. These provisions will expire on December 31, 2024.

The Commissioner of Administration must have sole authority to enter into contracts with vendors for the sale of items, food, and beverages for events held at the Missouri State Penitentiary historic site. The commissioner may authorize a vendor to subcontract all or a portion of the services. The contracts must comply with specified state contract provisions. These provisions will expire on December 31, 2024.

#### **CCS SS HB 1361 -- DOMESTIC SURPLUS LINES INSURERS**

This bill specifies that a nonadmitted insurer that is domiciled in this state must be deemed a domestic surplus lines insurer if the insurer possesses a policyholder surplus of at least \$20 million, is an approved or eligible surplus lines insurer in at least one jurisdiction other than this state, the board of directors of the insurer has passed a resolution seeking to be a domestic surplus lines insurer in Missouri, and the Director of the Department of Insurance, Financial Institutions and Professional Registration has given written approval for the insurer to be a domestic surplus lines insurer.

A domestic surplus lines insurer is deemed an eligible surplus lines insurer authorized to write any type of policy that a nonadmitted insurer not domiciled in Missouri is eligible to write. The policies issued in this state must be subject to taxes assessed on surplus lines policies issued by nonadmitted insurers, including the surplus premium lines tax under Section 384.059, RSMo, but will not be subject to other taxes levied on admitted insurers whether domestic or foreign, including taxes imposed under Section 148.320. A policy issued by a domestic surplus lines insurer is not subject to the protections or other provisions

of the Missouri Property and Casualty Insurance Guarantee Association Act or the Missouri Life and Health Insurance Guaranty Association Act. All financial and solvency requirements imposed under specified provisions on domestic admitted insurers must apply to domestic surplus lines insurers unless specifically exempted. A domestic surplus lines insurer must be exempt from all statutory requirements regarding rating plans, policy forms, policy cancellation and non-renewal, and premiums charged to the insured in the same manner and to the same extent as a nonadmitted insurer domiciled in another state.

#### **SS SCS HCS HB 1371 -- MISSOURI CRIMINAL CODE**

This bill makes minor technical and grammatical corrections and corrects erroneous intersectional references in the Missouri Criminal Code as it was truly agreed and finally passed in HCS SS SCS SB 491 in 2014.

Several sections that contain references to offenses that had their names or section numbers changed are modified to include both the previous and amended names and section numbers, and intersectional references to sections that have different numbers are updated.

Currently, an offender found guilty of a specified class C or class D felony is eligible for earned compliance credits and court-ordered detention sanctions while on probation, parole, or supervised release. HCS SS SCS SB 491 limits the two programs to an offender of a specified class D or class E felony. The bill specifies that any offender who was sentenced prior to January 1, 2017, for an offense that was eligible for earned compliance credits and court-ordered detention sanctions remains eligible for both programs so long as the offender meets all the other statutory requirements.

Currently, lifetime supervision is required for a sexual offender found guilty of rape in the first degree, statutory rape in the first degree, sodomy in the first degree, or statutory sodomy in the first degree. Anyone found guilty of first degree child molestation, sexual misconduct involving a child, sexual abuse in the first degree, enticement of a child, sexual trafficking of a child, incest, using a child in a sexual performance, or promoting a sexual performance by a child must be supervised for life if the victim was less than 14 years old and the offender is a repeat sexual offender. The bill specifies that an offender found guilty of any of these sexual offenses, regardless of the age of the victim or his or her criminal history, must be supervised for life.

HCS SS SCS SB 491 excludes any prison commitment prior to release on probation in a 120-day shock incarceration or treatment program or sexual offender assessment for purposes of calculating mandatory minimum sentences for repeat offenders. The bill, and current law, specifies that only the first prison commitment prior to release on probation is excluded from the calculation.

The definition of “habitual offender” and “habitual boating offender” are revised to include any offender who, while driving while intoxicated, acted with criminal negligence to cause the death of someone who was not a passenger in the vehicle or vessel, caused the death of two or more people, or caused the death of a person while having a blood alcohol content of .18 or more. An individual found guilty of being a habitual offender or habitual boating offender is guilty of a class B felony and must be sentenced as a dangerous felony offender. The offense is a class A felony if the defendant is a habitual offender and is found guilty of a subsequent violation.

A provision regarding the admissibility of a refusal to submit to a blood alcohol test is modified to clarify that the refusal is admissible whenever the refusal occurs when a person is under arrest.

Provisions are added prohibiting the purchase, acquisition, or receipt of certain amounts of methamphetamine precursor drugs to the elements of the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs.

Specified provisions of the bill will become effective on January 1, 2017.

### **HB 1372 -- PROTESTS AT FUNERAL SERVICES**

This bill specifies that a person commits the offense of unlawful funeral protest, a class B misdemeanor, if he or she pickets or engages in other protest activities within 300 feet of a residence, cemetery, funeral home, church, synagogue, or other establishment during or within one hour before or one hour after the conducting of any funeral or burial service at that place. These provisions do not apply to a funeral procession while it is in transit beyond the 300-foot zone. The offense is a class A misdemeanor if the offense is committed by a person who has previously been found guilty of a violation of these provisions.

The bill repeals Sections 578.501 through 578.503, RSMo, known as Spc. Edward Lee Myers' Law, regarding unlawful picketing or other protest activities at a location at which a funeral is held.

### **HCS HB 1376 -- SECURED TRANSACTIONS**

This bill changes the laws regarding secured transactions under the Uniform Commercial Code. The bill specifies that a secured party has control of electronic chattel paper if a system employed for evidencing the transfer of interest in the chattel paper reliably establishes the secured party as the person to whom the chattel paper was assigned.

The bill makes technical corrections and changes terms regarding “amendment” and “certificated security” so that they are consistent throughout the provisions of the bill.

The bill allows an individual to use a nondriver's license in the same manner that a driver's license is used for identification purposes under the provisions regarding a financing statement.

### **HCS HB 1389 -- RECIPROCITY AGREEMENTS FOR DISTANCE EDUCATION**

This bill specifies that the Coordinating Board for Higher Education in the Department of Higher Education must have responsibility for entering into agreements for interstate reciprocity regarding the delivery of postsecondary distance education, administering the agreements, and approving or disapproving an application from a postsecondary education institution with its principal campus located in Missouri to participate in the agreements.

The coordinating board must establish standards for institutional approval that include a definition of physical presence for non-Missouri institutions serving Missouri residents consistent with other states' definition of physical presence and establishment of consumer protection policies for distance education addressing recruitment and marketing activities; disclosure of tuition, fees, and other charges; disclosure of admission processes and procedures; and student complaints. The coordinating board must establish policies for the review and resolution of student complaints arising from programs offered under the agreement.

The coordinating board may charge fees to any institution applying to participate in an interstate reciprocity agreement. The fees cannot exceed the coordinating board's cost of reviewing and evaluating the applications.

### **SCS HCS HB 1410 -- LANDLORD TENANT ACTIONS**

This bill changes the laws regarding landlord tenant actions. In its main provisions, the bill:

(1) Changes, from December 31, 2019, to December 31, 2024, the expiration date of the provisions requiring a builder of one- or two-family dwellings to offer a purchaser the option to have fire sprinklers installed at the purchaser's cost;

(2) Modifies the definition of "lessee" by restricting it to only a person who leases premises from another to the exclusion of others during the rental or lease period and who is obligated to pay rent. Currently, the definition of "lessee" includes any person residing on the premises with the lessee's permission;

(3) Adds statutory definitions for the terms "landlord" and "tenant" and revises the definition of "occupant" as a person lawfully occupying a dwelling either as a tenant or a lessee;

(4) Specifies that if the plaintiff presents evidence that a person is not lawfully occupying a dwelling unit as a tenant or a lessee, the court must order the immediate removal of the person;

(5) Specifies that following a court order for immediate eviction, the tenant must have 24 hours to vacate the premises. The landlord must subsequently have the right to re-enter and take possession of the rental premises;

(6) Removes landlord-tenant actions and forcible entry and detainer actions from the list of actions in which an aggrieved party by a judgment in a civil case must have the right of a trial de novo;

(7) Requires all cases regarding forcible entry and unlawful detainer to be heard on the record. If the plaintiff has designated the case as one to be heard under the practice and procedure applicable before circuit judges, the case must be heard and determined under the rules of practice and procedure provided in the Missouri Rules of Civil Procedure instead of those in Chapter 517;

(8) Requires the service of a summons issued in a landlord-tenant proceeding in Jackson County to be attempted within four days of the date of issuance. Currently, the sheriff must attempt to serve the summons within four days of the date of issuance; and

(9) Specifies that a tenant who willfully or wantonly destroys, defaces, damages, impairs, or removes any part of a leased structure or dwelling unit or its facilities, equipment, or appurtenances may not inject the issue of claim of right.

#### **SS SCS HB 1411 -- TANNING FACILITIES**

This bill requires, prior to any individual younger than 17 years of age using a tanning device in a tanning facility, the parent or guardian of the

individual to annually appear in person at the facility and sign an acknowledgment stating that he or she has read and understands the warnings given by the facility and consents to the minor's use of a tanning device at the facility.

The Department of Health and Senior Services must develop by rule a standard consent form to be used by all facilities operating in the state.

Any tanning facility violating the provisions of the bill is subject to a fine of \$100 for a first violation, \$250 for a second violation, and \$500 for each subsequent violation. Every use of a tanning device in a tanning facility in violation of these provisions is a separate offense.

The duties and penalties provided in these provisions must not take effect or be enforced until the department adopts a rule containing the standard consent form.

#### **HCS HB 1412 -- FILING OF FRAUDULENT DOCUMENTS**

This bill changes the laws regarding the filing of a fraudulent document with the Secretary of State or a recorder of deeds. In its main provisions, the bill:

(1) Specifies that a person commits a class D felony if he or she knowingly or intentionally files, attempts to file, or records any document related to real property with a recorder of deeds or a financing statement with the Secretary of State with the intent that it be used to harass or defraud any other person or that is materially false or fraudulent. The court, upon conviction, may order restitution if a person is convicted of a violation of these provisions;

(2) Allows a debtor named in a false or fraudulent financing statement to file an action against the person who filed the financing statement to seek appropriate equitable relief, actual damages, or punitive damages including, but not limited to, reasonable attorney fees;

(3) Specifies that a document, instrument, or record must be presumed to be materially false or fraudulent if it is filed by or on behalf of an inmate in the custody of the Department of Corrections. This presumption may be rebutted by providing the Secretary of State with a sworn and notarized document signed by the obligor, debtor, or owner of the collateral stating that the person entered into a security agreement with the inmate; and

(4) Requires the Secretary of State to determine if a contested record was wrongfully filed when someone files an information statement alleging that a record was wrongfully filed. The Secretary of State may require the person filing the statement or the secured party to provide additional information.



If the statement is found to be wrongfully filed, the record must be terminated and it must be void and ineffective. The secured party named in the record must be notified of the termination.

#### **HCS HB 1426 -- HEALTH-RELATED AILMENT REGISTRY**

This bill allows any county, which includes the City of St. Louis, to create a voluntary registry of persons with health-related ailments to assist these individuals in case of a disaster or emergency. A name, address, or any other personal identifying information used in a registry cannot be deemed a public record under the Open Meetings and Records Law, commonly known as the Sunshine Law. If a disaster or emergency occurs that involves any person listed on the registry, an incident report must be made public.

#### **HB 1454 -- COMMUNICATIONS INFRASTRUCTURE DEPLOYMENT**

This bill changes, from within 90 to within 120 days, the time period in which the authority with jurisdiction over planning and zoning regulations must review and process an application for a substantial modification of a wireless communications support structure, the time period the authority must review and process an application if an application is deficient and the applicant cures any deficiencies, and the time period that an application must be deemed approved if the authority fails to act on an application.

Currently, any party aggrieved by the final action of an authority by application denial or by its inaction may bring an action for review in any court of competent jurisdiction. The bill specifies that the court must be within this state.

#### **HB 1455 -- TAX LIABILITY DISPUTES**

*(Vetoed by the Governor)*

Currently, the Director of the Department of Revenue has the burden of proof with respect to any factual issue relevant to ascertaining the liability of a taxpayer in a tax liability dispute under specified circumstances. This bill repeals the burden of proof requirement when, in the case of a partnership, corporation, or trust, the net worth of the taxpayer does not exceed \$7 million and the taxpayer does not have more than 500 employees at the time the final decision of the department director is issued and only requires the department director to have the burden of proof if the taxpayer has produced evidence that establishes that there is a reasonable dispute with respect to the tax issue and the taxpayer has adequate records of the transactions

and provides the department reasonable access to the records.

Currently, the provisions of Section 136.300, RSMo, cannot apply to any issue with respect to the applicability of any tax exemption or credit. The bill removes the applicability of any tax exemption and specifies that the provisions cannot apply to any issue with respect to the applicability of any tax credit.

#### **HCS HB 1459 -- INNOVATION CAMPUS TAX CREDIT ACT**

This bill establishes the Innovation Campus Tax Credit Act that authorizes, beginning January 1, 2015, a tax credit in an amount equal to 50% of an eligible donation to an innovation campus to be used solely for projects that advance learning in the areas of science, technology, engineering, and mathematics. An innovation campus is an educational partnership consisting of at least a Missouri high school or K-12 school district, a Missouri four-year higher education institution, a Missouri-based business, and a Missouri two-year public higher education institution or state technical college.

The tax credit is available for taxes imposed under Chapters 143, 147, or 148, RSMo, excluding the withholding tax imposed by Sections 143.191 to 143.265.

The tax credit is not refundable but may be carried forward for up to four years or transferred. To claim the credit, an innovation campus may submit an application to the Department of Economic Development on behalf of taxpayers with a payment from the campus in an amount equal to the value of the tax credits. If the campus meets all the required criteria, the department must issue a certificate in the appropriate amount.

The provisions of the bill will expire six years after the effective date.

#### **CCS#2 SS SCS HB 1490 -- ELEMENTARY AND SECONDARY EDUCATION STANDARDS**

This bill requires the State Board of Education to convene separate work groups on English language arts, mathematics, science, and history and governments whenever it develops, evaluates, modifies, or revises academic performance or learning standards. Work groups for kindergarten through fifth grade will consist of 16 members and 17 members for work groups for sixth through twelfth grade. The President Pro Tem of the Senate and the Speaker of the House of Representatives must each select two parents of children currently enrolled

in the grades and two education professionals to serve as members. The state board must select one education professional to each work group from names submitted to it by the professional teachers' organizations of the state, a statewide coalition of school administrators, nationally-recognized career and technical education student organizations operating in Missouri, and the heads of state-approved baccalaureate-level teacher preparation programs located in Missouri. One education professional must be selected by a statewide association of Missouri school boards. The Governor, the Lieutenant Governor, and the Commissioner of Higher Education must each select one education professional. The seventeenth member, who must be a current or retired career and technical education professional who serves or has served as an advisor to career and technical education student organizations, is to be appointed by the state board from names submitted to it by a statewide organization for career and technical education. The members must be geographically diverse and cannot be required to be a member of a professional teacher organization to serve on a work group. Each work group member must have been a Missouri resident for at least three years and have taught in the work group's subject area for 10 years or have 10 years of experience in that subject area, with the exception of the parent members. A qualified person may serve on more than one work group.

The state board must hold at least three public hearings whenever it develops, evaluates, modifies, or revises either academic performance or learning standards. The hearings must provide an opportunity to receive public testimony from specified groups and the general public. The hearings must be held within 30 days of the work groups being convened, six months after the first hearing, and when the work groups submit the developed academic performance standards to the state board. The state board must also solicit feedback and comments from the Joint Committee on Education and academic researchers. All comments must be made publicly available.

Local school districts and charter schools may adopt their own education standards, in addition to those already adopted by the state, provided any additional standards are in the public domain and do not conflict with standards adopted by the state board.

The state board and the Department of Elementary and Secondary Education are prohibited from mandating the curriculum, textbooks, or other instructional materials to be used in the public schools. Each local school board must be responsible for the approval and adoption of its

curriculum. Schools or programs administered by the state board, the department, and any district classified as unaccredited are exempt from this provision. The state board and the department are prohibited from requiring local districts to use any appendix to the Common Core State Standards.

The state board must modify and revise, as necessary, the statewide assessment system based on the standards adopted by the board. After the state board adopts and implements academic performance standards, the state board must develop and adopt a standardized assessment instrument based on the academic performance standards adopted under Section 161.855, RSMo. The special education teachers serving on the advisory panel to develop developmentally appropriate alternate assessments must be residents of Missouri. Two provisions regarding adjustments to the statewide assessment system that expired in 2006 are repealed.

When the state board establishes, evaluates, modifies, or revises academic performance standards, learning standards, and the statewide assessment system, it must consider the work product of the Department of Higher Education's Curriculum Alignment Initiative or any other work in the public domain, in addition to other specified sources. The provision requiring the state board to adopt the work that has been done by consortia of other states and allowing it to contract with the consortia to implement the academic standards and statewide assessment system is repealed. The Commissioner of Education must notify the General Assembly within six months of modifying or revising the statewide assessment system. The General Assembly may veto any modification or revision by concurrent resolution, as specified in the bill. By December 31, 2014, the Commissioner of Education must revise the procedure to regularly receive advice and counsel from specified individuals regarding the implementation of academic performance standards and the statewide assessment system to allow the state board to regularly receive advice and counsel from specified groups whenever it develops, evaluates, modifies, or revises academic performance standards, learning standards, or the statewide assessment system. Obsolete references to the Commission on Performance are repealed.

The provision allowing the departments of Economic Development, Elementary and Secondary Education, and Higher Education to directly enter into agreements with the P-20 Council is repealed. Instead, the departments must be bound by the statutory requirements for state purchasing and contracting under Chapter 34.

State board rules regarding accreditation must include a process to allow a fully accredited district to propose alternative criteria to the state board to become classified as accredited with distinction.

The state board must promulgate a rule relating to student data accessibility, transparency, and accountability in the statewide longitudinal data system that requires the department to create and make publicly available a data inventory and index of data elements with definitions of individual student data fields in the student data system and to develop policies to comply with all relevant state and federal laws, including the federal Family Educational Rights and Privacy Act (FERPA). The policies must address access to personally identifiable student data in the statewide longitudinal data system. The department must develop criteria for the approval of research and data requests from state and local agencies, researchers working on behalf of the department, and the public. The department must not, unless otherwise authorized, transfer personally identifiable student data. The department must develop a detailed data security plan; ensure compliance with FERPA as well as other laws and policies; and ensure that any contracts that govern databases, assessments, or instructional supports that include student or redacted data and are outsourced to private vendors include provisions that safeguard privacy and security and prohibit the sale of data or its use in furtherance of advertising and include penalties for noncompliance. Local service providers whose access to data is limited to directory information are exempted from the prohibition. The department must annually report to the Governor, the President Pro Tem of the Senate, the Speaker of the House of Representatives, and the Joint Committee on Education of any new student data proposed for inclusion in the state student data system and any changes to existing data collections required for any reason. Quantifiable student performance data must only include performance on locally developed or approved assessments including, but not limited to, formative assessments developed by classroom teachers. The department is prohibited from collecting and school districts are prohibited from reporting the following individual student data: juvenile court delinquency records, criminal records, biometric information, political affiliation, or religion. Civil penalties for violations of any rule regarding the use of education data are specified for first and subsequent violations. The Attorney General is authorized to enforce compliance with these provisions.

By October 1, 2014, the state board must convene work groups of education professionals to develop

and recommend academic performance standards. The state board must convene separate work groups for the following subject areas: English language arts; mathematics; science; and history and governments. For each subject area, the state board must convene two work groups, one for grades kindergarten through five and one for grades six through 12. The work groups must develop and recommend academic performance standards by October 1, 2015. The work groups must report on their progress to the President Pro Tem of the Senate and the Speaker of the House of Representatives on a monthly basis. The state board must adopt and implement academic performance standards beginning in the 2016-2017 school year and align the statewide assessment system to the new standards as needed. The department must pilot assessments from the Smarter Balanced Assessment Consortium during the 2014-2015 school year. For the 2014-2015 school year, and at any time when the state board or the department implements a new statewide assessment system, develops new academic performance standards, or makes changes to the Missouri School Improvement Program, the first year of the system and performance indicators must be a pilot year for the purposes of calculating a district's annual performance report under the program. The results of a statewide pilot must not be used for a teacher's evaluation or to lower a school district's accreditation. Any person performing work for a district or charter school who is required to be certified under the teacher or administrator certification laws must be an employee of the district or charter school. All evaluations of certified teachers and administrators must be maintained in the person's personnel file and must not be shared with any state or federal agency.

#### **CCS SS SCS HB 1504 -- TAX INCREMENT FINANCING**

This bill adds taxes imposed on sales for capital improvements in certain counties imposed after August 28, 2013, for the purpose of funding emergency communication systems to the list of taxes excluded from the requirement that 50% of the taxes be deposited into a separate segregated account within a special allocation fund.

Beginning August 28, 2014, the bill exempts any additional revenues generated within an existing redevelopment project area from an increase in a property tax levy or a sales or use tax rate that is approved after the adoption of a redevelopment project from being subject to deposit into a special allocation fund without the consent of the taxing district.

### **HB 1506 -- RURAL REGIONAL DEVELOPMENT GRANTS**

This bill requires, subject to an appropriation not to exceed \$5 million each fiscal year, the Department of Economic Development to develop and implement rural regional development grants to qualified groups.

After a rural regional development group is awarded a grant, the group must:

- (1) Track and monitor job creation and investment in the region using quantitative measures that measure progress toward preestablished goals;
- (2) Establish a process for enrolling commercial and industrial development sites in the region in the state-certified sites program or maintain a list of state-certified commercial and industrial development sites in the region;
- (3) Measure the skills of the region's workforce;
- (4) Provide an organizational chart demonstrating that private businesses and local governmental and educational officials are involved in the group; and
- (5) Provide documentation of the group's financial activities for the current year.

A development group must not qualify for a rural regional development grant if:

- (1) The group's region includes a county or portion of another state outside the State of Missouri; or
- (2) The group maintains an operating budget greater than \$250,000.

Grant applications must only be submitted by a regional planning commission on behalf of a group recognized by the commission as an economic development agency for the county that the authority represents.

A grant cannot exceed \$150,000 and no more than two grants can be awarded annually to a commission in each of the 19 regions created under Chapter 251, RSMo.

The eligible amount of a grant for a group in operation for two years or more must provide or raise a \$1 match for every \$3 of state funds provided by the grant, including the value of in-kind services, supplies, or equipment. The eligible amount of a grant for a group in operation for less than two years must provide or raise a \$1 match for every \$1 of state funds provided by the grant, including the value of in-kind services, supplies, or equipment.

The grant recipient must annually report to the Governor; the Director of the Department of Economic Development; the Committee on Commerce,

Consumer Protection and the Environment of the Senate; the Committee on Economic Development of the House of Representatives; and any successor committees on the allocation of the grants and the purposes for which the funding was used.

### **HCS HB 1523 -- ENDOWMENT FUNDS**

This bill changes the laws regarding the guidelines for the management, investment, and expenditures of endowment funds held by charitable institutions and other entities holding funds for charitable purposes. Currently, an endowment fund of permanent duration is created when a gift instrument uses the term "income," "interest," "dividends," or "rents, issues, or profits," or "to preserve the principal intact" or words of that import. The bill specifies that an endowment fund of permanent duration is created when a gift instrument uses any of those term or words of similar import.

The bill contains an emergency clause.

### **CCS SCS HB 1553 -- POLITICAL SUBDIVISIONS**

*(Vetoed by the Governor)*

This bill changes the laws regarding political subdivisions. In its main provisions, the bill:

- (1) Adds Christian County to the list of counties that are not required to obtain bids on purchases of \$6,000 or less (Section 50.660, RSMo);
- (2) Adds Christian County to the counties that must advertise and post notice of proposed purchases where the estimated expenditure is \$6,000 or more (Section 50.783);
- (3) Changes, from December 31, 2019, to December 31, 2024, the expiration date of the provisions requiring a builder of one- or two-family dwellings to offer a purchaser the option to have fire sprinklers installed at the purchaser's cost (Section 67.281);
- (4) Exempts specified voluntary annexations from boundary commission review in St. Louis County. The annexation cannot be prohibited by the existence of an established unincorporated area (Section 72.401);
- (5) Authorizes the cities of Columbia, Springfield, Independence, and St. Louis to enact specified ordinances that carry a penalty of up to a \$1,000 fine, up to one year in prison, or both as the City of Kansas City is currently authorized to do (Section 82.300);

(6) Changes the laws regarding nuisance ordinances and actions in specified counties and cities by:

(a) Specifying that a parcel of property is a nuisance if it adversely affects the value of any property within a neighborhood and adds failure to reasonably maintain the property or a violation of a county or municipal building ordinance to the list of actions by the owner of the parcel that determine it to be a nuisance. Currently, a parcel is a nuisance if it adversely affects the property values of a neighborhood due to specified reasons, including neglect or violation of a county or municipal building code or standard;

(b) Allowing only a property owner who lives within 1,200 feet of an alleged nuisance property to bring a nuisance action against the owner of the property. Currently, any person who owns property within a reasonable distance from the nuisance property may bring an action;

(c) Specifying that anyone who owns property within 1,200 feet of a property that is alleged to be a nuisance or a neighborhood organization on behalf of any individual who owns property within the boundaries of the organization and who could maintain a nuisance action or on its own behalf with respect to a nuisance on property anywhere within the boundaries of the organization may also bring an action for injunctive relief. Currently, a nuisance action for injunctive relief may only be brought by a neighborhood organization representing any individual who could maintain a nuisance action. An action cannot be brought until 60 days after the party who brings the action has sent written notice of intent to bring an action to the tenant and the property owner of record that includes specified information. When a neighborhood organization files a suit, an officer of the organization or its counsel must certify specified facts to the court;

(d) Adding a neighborhood organization in the City of St. Louis to the provisions allowing a neighborhood association in the City of Kansas City to bring a nuisance action. The bill revises the notice requirements for the action;

(e) Allowing a neighborhood organization in St. Louis City or Kansas City to seek injunctive relief on behalf of an owner or resident of property that is within 1,200 feet of a property on which there is a condition or activity constituting a code or ordinance violation in the neighborhood described in the articles of incorporation or the bylaws of the organization or on its own behalf with respect to a code or ordinance violation on property anywhere within the boundaries of the neighborhood. Currently, only a neighborhood organization representing persons aggrieved by a local code violation in the City of Kansas City may seek injunctive relief;

(f) Repealing the current prohibition on a nuisance action being brought against an owner of residential rental property by a neighborhood organization unless the appropriate municipal code enforcement agency has issued a nuisance violation notice and it remains outstanding for at least 45 days and specifying that any action may not be brought unless the notice of violation has been pending for more than 45 days and the condition or activity that gave rise to the violation has not been abated;

(g) Prohibiting a neighborhood organization from bringing a nuisance action if the organization or any of its directors own real estate or have an interest in a trust, corporation, or other limited liability company that owns real estate in the city or county in which the nuisance property is located;

(h) Specifying that a copy of the notice of citation issued by the city that shows the date the citation was issued must be prima facie evidence of whether and for how long a citation has been pending against the property or the property owner; and

(i) Repealing a provision specifying that specific provisions must not be construed as to grant standing for a nuisance action in the City of Kansas City in which the alleged nuisance action consists of an interior physical defect of a property or involving a violation of municipal alcoholic beverages laws (Sections 82.1025 - 82.1030);

(7) Changes the provisions regarding the public safety sales tax in the City of Springfield. Currently, every five years the City of Springfield must submit to the voters the question of whether to repeal its public safety sales tax. The bill modifies the ballot language so that the question will be whether to continue the tax. Failure by the voters to approve continuation will result in a repeal of the tax (Section 94.579);

(8) Limits the authority of any municipality in Boone County to override a negative recommendation of its TIF commission to include only a redevelopment plan project, designation, or amendment in which the economic activity taxes and payments in lieu of taxes generated do not exceed the costs associated with the demolition of buildings and the clearing and grading of land (Sections 99.805 and 99.825);

(9) Requires any correspondence by the St. Louis County Assessor with a taxpayer to include in bold, 14-point font a statement that disclosure of the information requested is voluntary and not required by law and that any information disclosed may become public record. This requirement does not apply to a request for information regarding the required listing of property or listing of lessees (Section 137.133);

(10) Updates the description of the City of Springfield in the provision regarding the election of school district directors (Section 162.481);

(11) Adds Saline County to the list of counties within which the board of directors of a public library district may, by majority vote, impose a sales tax not to exceed one-half of one cent on all retail sales for the purpose of funding the operation and maintenance of public libraries within the boundaries of the district. The tax will not become effective unless approved by a majority of the voters of the district (Section 182.802);

(12) Specifies that the directors of any industrial development corporation formed by a municipality in St. Francois County may be taxpayers and registered voters in the county (Section 349.045);

(13) Prohibits the provisions requiring every judge to examine and superintend court records from being construed to permit the adoption of any local court rule that grants a judge the discretion to remove or direct the removal of any pleading, file, or communication from a court file or record without notification to the parties and providing the parties an opportunity to respond (Section 483.140); and

(14) Prohibits a nuisance action for deteriorated property from being brought if the owner of the property that is the subject of the action is in good faith compliance with any order issued by the Department of Natural Resources, the United States Environmental Protection Agency, or the Office of the Missouri Attorney General (Section 1).

#### **SCS HB 1594 -- VOLUNTEER LABOR ON PUBLIC WORKS PROJECTS**

This bill specifies that a workman on a public works project who agrees in writing to volunteer his or her labor without pay as defined in the bill must not be deemed to be employed on the project and is not entitled to the prevailing hourly rate of wages. An employer may not force, compel, or intimidate an employee into performing work as a volunteer for which the employee otherwise would be paid a prevailing wage.

#### **HB 1602 -- CONVEYANCE IN ST. FRANCOIS COUNTY**

This bill authorizes the Governor to convey certain state property located in St. Francois County to the City of Farmington.

#### **HB 1603 -- OFFICIAL STATE EXERCISE**

This bill designates the exercise commonly known as jumping jacks, which was invented by Missouri-born General John J. Pershing as a drill exercise for cadets, as the official state exercise.

#### **SCS HCS HB 1614 -- BRYCE'S LAW**

This bill adds dyslexia to the list of conditions that are considered qualifying needs for the purposes of Bryce's Law which requires the Department of Elementary and Secondary Education to develop a master list of resources available to the parents of children with an autism spectrum disorder and to actively seek financial resources for scholarships to eligible children to attend a qualified school or for a clinical trial for behavioral interventions. The bill adds an individual with national certification as an academic language therapist to the definition of "qualified service provider."

Beginning in school year 2016-2017, the Commissioner of Education within the department may adjust the allocation of the proportion of scholarships between autism and the other qualifying special needs using information based on unmet need and use patterns from the previous school years. The commissioner must notify the State Board of Education of any changes for its approval. A student with dyslexia may become eligible for a scholarship based on a medical or clinical diagnosis based on the C-TOPP assessment as an initial indicator of dyslexia and confirmed by further medical or clinical diagnosis.

#### **SCS HCS HB 1631 -- AIR CONSERVATION COMMISSION**

This bill requires the Air Conservation Commission to develop emission standards through a unit-by-unit analysis of each carbon dioxide generation plant within the state regardless of the number of turbines at each plant site.

In developing and implementing the emission standards for each existing source of carbon dioxide, the commission must consider, among other factors, the remaining useful life of the existing source to which the standard applies, consistent with specified federal regulations.

The commission must consider, consistent with its statutory duties to achieve the prevention, abatement, and control of air pollution by all commercially available and economically feasible methods, the overall economic impact from any and all emission standards and compliance schedules developed and implemented under specified federal regulations.

The commission may develop, on a unit-by-unit basis for individual existing sources and emissions of carbon dioxide at these existing sources, consistent with federal regulation, emission standards that are less stringent, but not more stringent, than applicable federal emission guidelines or longer compliance schedules than those required by

federal regulations. This determination must be based on:

- (1) Unreasonable cost of control resulting from plant age, location, or basic process design;
- (2) Physical impossibility of installing necessary control equipment; or
- (3) Other factors specific to the existing source or class of existing sources that make application of a less stringent standard or final compliance time significantly more reasonable.

If any provision of the bill or the application thereof to any individual or circumstance is held invalid, the invalidity must not affect other provisions or applications of the bill that can be given effect without the invalid provision or application and to this end these provisions are declared to be severable.

#### **HB 1651 -- ELECTRIC COOPERATIVES**

This bill allows a member of a rural electric cooperative to participate in meetings electronically or by mail for the purpose of forming quorums and for voting if the cooperative's bylaws allow it.

#### **HB 1656 -- ANATOMICAL GIFTS**

This bill specifies that if an anatomical gift is medically unsuitable for transplantation or therapy, the gift may be used for research, education, or pass to an appropriate procurement organization. Currently, the provision specifies that if the gift is medically unsuitable for transportation, it may be used for the specified activities.

#### **CCS SS SCS HCS HBs 1665 & 1335 -- ADMINISTRATION OF JUSTICE**

This bill changes the laws regarding the administration of justice.

#### **DEPUTY SHERIFFS (Sections 57.015 - 57.250, RSMo)**

The bill specifies that a limited definition of "deputy sheriff" only applies to a provision regarding the dismissal proceedings for a deputy sheriff. Specified provisions regarding the ability of a sheriff to discharge a deputy sheriff are amended to refer to the limited definition of deputy sheriff.

#### **CRIMINAL RECORD INFORMATION (Section 407.1150)**

The bill specifies that it must be unlawful for any person engaged in publishing or disseminating criminal record information through a print or electronic medium to solicit or accept a fee or other consideration from the subject individual to remove or correct criminal record information. A person who

knowingly and willfully violates these provisions will be guilty of a class A misdemeanor.

Any individual who suffers a loss or harm as a result of a violation of these provisions may be awarded an amount equal to \$10,000 or actual and punitive damages, whichever is greater, and reasonable attorney fees, court costs, and any other remedies provided by law. Humiliation or embarrassment must be adequate to show that the plaintiff has incurred damages; however, no physical manifestation of either humiliation or embarrassment is necessary for damages to be shown.

#### **COURT RECORDS (Section 483.140)**

The provisions requiring every judge to examine and superintend court records must not be construed to permit the adoption of any local court rule that grants a judge the discretion to remove or direct the removal of any pleading, file, or communication from a court file or record without notification to the parties and providing them an opportunity to respond.

#### **POWER TO ARREST (Section 544.216)**

Currently, a law enforcement officer may arrest on view, and without a warrant, any person the officer sees violating or who the officer has reasonable grounds to believe has violated any law of this state or any ordinance over which the officer has jurisdiction. The bill clarifies that a law enforcement officer may only arrest a person without a warrant for a violation of any ordinance or law over which the officer has jurisdiction.

#### **EXPUNGEMENT OF ARREST RECORDS (Sections 610.120 and 610.122)**

The bill allows an individual's record of arrest to be expunged under Section 43.503 if the court determines the individual was arrested for, or was subsequently charged with, a misdemeanor offense under Chapter 303 or any moving violation under Section 302.010 except for any intoxication-related traffic offense and:

(1) Each offense or violation related to the arrest was subsequently nolle prossed or dismissed or the accused was found not guilty of each offense or violation; and

(2) The person does not have a commercial driver's license and was not operating a commercial motor vehicle at the time of the arrest.

A record of arrest must only be eligible for expungement if the subject of the arrest has no prior or subsequent misdemeanor or felony convictions and no civil action is pending relating to the arrest or the records sought to be expunged.

**ENTRY OF APPEARANCE (Section 1)**

The bill requires all courts that process documents via mandatory e-filing to accept, file, and docket a notice of entry of appearance filed by an attorney in a criminal case if the filing document is no longer than one page and was sent by fax or regular mail. These provisions will expire on December 31, 2016.

**CCS#2 SS HCS HB 1685 -- INVESTIGATIONAL DRUGS**

This bill allows, but does not require, a manufacturer of an investigational drug, biological product, or device to make the drug, product, or device available to an eligible patient who has a terminal illness, has considered all other treatment options currently approved by the United States Food and Drug Administration, has received a prescription or recommendation from his or her physician, and has given his or her written informed consent for the use of the drug, product, or device.

A manufacturer may:

(1) Provide an investigational drug, biological product, or device to an eligible patient without receiving compensation; or

(2) Require an eligible patient to pay the costs of or associated with the manufacture of the drug, product, or device.

These provisions do not require a health care insurer or the Department of Corrections to provide coverage for the cost of any investigational drug, biological product, or device but a health care insurer may provide the coverage.

A state agency or regulatory board cannot revoke, fail to renew, or take any other action against a physician's license issued under Chapter 334, RSMo, based solely on the physician's recommendation to an eligible patient regarding prescription for or treatment with an investigational drug, biological product, or device. Action against a health care provider's Medicare certification based solely on his or her recommendation that a patient have access to a drug, product, or device is prohibited.

These provisions contain a severability clause and if a provision or its application to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications.

If the clinical trial is closed due to the lack of efficacy or toxicity, the drug must not be offered. If notice is given on a drug, product, or device taken by a patient outside of a clinical trial, the pharmaceutical company or patient's physician must notify the patient of the information from the safety committee of the clinical trial.

Except in the case of gross negligence or willful misconduct, any person who manufactures, imports, distributes, prescribes, dispenses, or administers an investigational drug or device to an eligible patient must not be liable in any action under state law for any loss, damage, or injury arising out of, relating to, or resulting from:

(1) The design, development clinical testing and investigation, manufacturing, labeling, distribution, sale, purchase, donation, dispensing, prescription, administration, or use of the drug or device; or

(2) The safety or effectiveness of the drug or device.

**SCS HCS HB 1689 -- ELEMENTARY AND SECONDARY EDUCATION**

The bill changes the laws regarding elementary and secondary education.

**EARLY CHILDHOOD EDUCATION (Sections 160.053 - 163.055 and 163.018, RSMo)**

If a school district operates a prekindergarten program, a child will be eligible for admission only if the child has reached the age of three before August 1 of the school year beginning in that calendar year.

Students between the ages of three and five who are eligible for free and reduced lunch and attend an early childhood education program that is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the State Board of Education must be included in the district's or charter school's calculation of average daily attendance used in determining its state funding through the school foundation formula. The total number of three and five year olds included in the district's or charter school's calculation of average daily attendance must not exceed 4% of the total number of pupils who are eligible for free and reduced lunch between ages three and 18 who are included in its average daily attendance. This provision will become applicable in the 2015-2016 school year for districts that have been declared unaccredited and remain unaccredited as of July 1, 2015. For any district that becomes unaccredited after July 1, 2015, this provision will be applicable immediately upon the loss of accreditation. For any district that becomes provisionally accredited after July 1, 2016, this provision will become applicable beginning in the 2016-2017 school year or immediately upon the declaration of provisionally accredited, whichever occurs later. For all other districts, this provision must become effective in the school year after the school year in which the foundation formula is fully



funded and will remain in effect in any succeeding year, no matter what level of funding is provided. These provisions do not require school attendance beyond what is required under the state's compulsory attendance law and do not change the provisions regarding kindergarten attendance age.

#### FUNDING FORMULA (Sections 163.011 and 163.031)

If a school district participates in the United States Department of Agriculture's Community Eligibility Option, the calculation used to determine free and reduced lunch pupil count is changed to the percentage of free and reduced lunch students calculated as eligible on the last Wednesday in January of the most recent school year that included household applications multiplied by the district's average daily attendance figure.

Currently, the calculation of local effort uses a school district's assessed valuation figure from 2004. When a change in a school district's boundary lines occurs, the Department of Elementary and Secondary Education must adjust the affected district's local effort calculation based on the land area adjustments from the boundary line change using 2004 assessed valuation data.

Currently, any district that has met all of the performance standards and indicators in the Missouri School Improvement Program is considered a performance district for purposes of calculating state aid. Beginning in Fiscal Year 2019, the number of performance districts cannot exceed 25% of all school districts.

Current law allows the state adequacy target to be adjusted to accommodate available appropriations beginning on July 1, 2012, which was the completion date of the phase-in of the formula. This adjustment method is modified so that it is used to modify state aid payments to formula districts when the formula appropriation is not fully funded. Payments to hold-harmless districts must not be modified. Provisions regarding the adjustment of the state adequacy target during the phase-in of the formula are repealed. The department must adjust the state adequacy target to accommodate the appropriation level if the amount of funding appropriated for the foundation formula is not sufficient to fully fund all school districts.

The bill becomes effective July 1, 2015.

#### SCS HB 1692 -- PUBLIC UTILITY DISTRICTS

This bill repeals the provision allowing a person who is not a voter or resident of the district to be a member of a public water supply district board if he or she has received service from the district at his or her primary place of residence one year

immediately prior to his or her election and requires all members of a public water supply district board to be voters who have resided in the district for one year immediately prior to the election.

A sewer district created and organized under Chapter 249, RSMo, is allowed to impose a fee of up to \$36 per year for a lateral sewer service line repair program upon approval by a majority of voters in the district and the adoption of a resolution by the sewer district's board of trustees. Rules for charging the fee to condominium units are specified in the bill. The fee cannot be imposed in any city, town, village, or the unincorporated area of a county that has already approved a fee for a sewer line repair program. Voters in the municipalities that already have the program are not eligible to vote on the question of whether the sewer district can impose the fee. The county collector is allowed to add the lateral sewer service fee to property tax bills.

If a city, town, village, or county imposed a fee for a lateral sewer line repair program but later rescinds it, the sewer district may submit the question to the registered voters owning property within the sewer district on whether to impose the fee.

#### HB 1693 -- UNCLAIMED PROPERTY

This bill changes the laws regarding unclaimed property. A United States savings bond in possession of the State Treasurer or with an owner whose last known address is located in Missouri must be deemed abandoned when it has remained unclaimed for more than three years after its maturity date and must escheat to the state three years after abandonment. At least 180 days after the bond escheats to the state, the State Treasurer must bring a civil action to confirm that the bond must escheat to the state. The State Treasurer must retain a record of the name and, if known, the last known address of each person named on the savings bond that has escheated to the State of Missouri and which has been redeemed by the State Treasurer.

The bill contains an emergency clause.

#### CCS SS HB 1707 -- OPERATION OF MOTOR VEHICLES

*(Vetoed by the Governor)*

This bill changes the laws regarding the operation of motor vehicles.

#### COMMUNITY COLLEGE TRAFFIC CONTROL (Sections 174.709, 174.712, and 178.862, RSMo)

The board of trustees of any community college district may establish regulations to control vehicular traffic on any thoroughfare owned or maintained by

the district and college police officers also must have authority to establish and enforce regulations to control vehicular traffic and enforce general motor vehicle laws of this state on any thoroughfare owned or maintained by the district. Any regulations established must be codified, printed, and distributed for public use.

A college police officer must have completed the peace officer training required under Chapter 590 or by virtue of previous experience or other training have met those requirements prior to employment and repeals the provision allowing a college police officer to complete the training within six months of being hired.

#### **TOWING COMPANY OPERATIONS**

(Section 304.154)

Beginning January 1, 2015, a towing company operating a tow truck as in Sections 304.155 or 304.157 with the exception of a towing company located in specified counties must also display a verifiable business address in a location visible from the street; have a fenced, secure, and lighted storage lot or an enclosed, secure building with a total area for storing vehicles of at least 2,000 square feet and any fenced area must be a minimum of seven feet high; maintain an operational telephone with the telephone number published or available through directory assistance; have a valid insurance policy as prescribed by the United States Department of Transportation; and keep any initial tow performed under Sections 304.155 and 304.157 in the State of Missouri unless authorized by the vehicle owner or their agents. Except in Kansas City, a tow performed under Section 304.155 must not be dispatched through a third-party dispatch system or management company unless hired by the towing company.

The bill adds Franklin County to the counties exempt from these provisions.

#### **TRAIN CREW MEMBER IDENTIFICATION**

(Section 389.065)

An engineer, conductor, brakeman, or any other member of the crew of a locomotive or train being operated upon rails, including operation on a railroad crossing over a public street, road, or highway, must not be required to display a driver's license to any law enforcement officer in connection with the operation of a locomotive or train within this state.

#### **EXPUNGEMENT OF ARREST RECORDS**

(Section 610.122)

The bill allows an individual's record of arrest to be expunged under Section 43.503 if the court determines the individual was arrested for, or was

subsequently charged with, a misdemeanor offense under Chapter 303 or any moving violation under Section 302.010 except for any intoxication-related traffic offense and:

(1) Each offense or violation related to the arrest was subsequently nolle prossed or dismissed or the accused was found not guilty of each offense or violation; and

(2) The person does not have a commercial driver's license and was not operating a commercial motor vehicle at the time of the arrest.

A record of arrest must only be eligible for expungement if the subject of the arrest has no prior or subsequent misdemeanor or felony convictions and no civil action is pending relating to the arrest or the records sought to be expunged.

#### **FUNERAL PROCESSIONS (Section 300.320)**

The bill repeals the provisions requiring a funeral procession to be identified by the display of a pennant or other identifying insignia on each vehicle.

#### **HCS HB 1710 -- MISSOURI NATIONAL GUARD FOUNDATION FUND**

This bill authorizes, for all years beginning on or after January 1, 2014, each individual or corporation that is entitled to a tax refund to designate a portion or all of the refund amount due to the newly created Missouri National Guard Foundation Fund. The minimum designation must be \$1 on a single return and \$2 on a combined return. If an individual or corporation is not entitled to a tax refund, a contribution can be sent by a separate check or draft designated for the fund. Moneys collected under these provisions must be used solely, upon appropriation, for the administration of the Missouri National Guard Foundation.

The provisions of the bill will expire December 31, 2020.

#### **HB 1724 -- MISSOURI MILITARY FAMILY RELIEF FUND**

Currently, the Adjutant General is authorized to make, subject to appropriation and upon the recommendation of a specified panel, grants from the Missouri Military Family Relief Fund to families of persons who are members of the Missouri National Guard or Missouri residents who are members of the reserves of the Armed Forces of the United States and have been called to active duty as a result of the September 11, 2001, terrorist attacks. This bill authorizes, subject to appropriation and upon the recommendation, the Adjutant General to make grants or provide other financial assistance or services from the fund to the family of any person

who is a member of the Missouri National Guard or a Missouri resident who is a member of the reserves of the Armed Forces of the United States.

### **SS SCS HCS HBs 1735 & 1618 -- SALE OF MOTORCYCLES AND SPECIFIED MOTORIZED VEHICLES ON SUNDAYS**

Currently, a business that sells motor vehicles cannot be open on Sunday in Missouri. This bill creates an exception for the sale on Sundays of motorcycles, motortricycles, motorized bicycles, all-terrain vehicles, recreational off-highway vehicles, utility vehicles, personal watercraft, or other motorized vehicles sold by powersports dealers.

The dealer of one of these vehicles must not be subject to criminal penalties for the sale of one of these vehicles on a Sunday.

The bill modifies the following definitions:

(1) In “all-terrain vehicle,” the requirements that the vehicle have a seat designed to be straddled by the operator or with a seat designed to carry more than one person and handlebars for steering control are removed;

(2) In “recreational off-highway vehicle,” the allowable width is changed from 64 inches or less to more than 50 inches but no more than 67 inches and the requirement that it have a nonstraddle seat and steering wheel are removed; and

(3) In “utility vehicle,” the allowable width is changed from 63 inches or less to more than 50 inches but no more than 67 inches and the allowable weight of the utility vehicle is increased from 1,850 pounds to 2,000 pounds or less.

The bill specifies that the purchaser of a used all-terrain vehicle after August 28, 2014, which was classified as a utility or recreational off-highway vehicle prior to August 28, 2014, may present a notarized bill of sale as evidence of lawful ownership for purposes of applying for a title when a certificate of title has not previously been issued.

### **SCS HCS HB 1779 -- ADVANCED PRACTICE REGISTERED NURSES**

Currently, physical or chemical restraints, isolation, or seclusion cannot be used on a patient, resident, or client of a mental health facility or mental health program unless it is determined by the head of the facility or the attending licensed physician that it is necessary to protect the health and safety of the individual or others and that it provides the least restrictive environment. This bill allows an order to also be made by an advanced practice registered nurse in a collaborative practice arrangement with

the attending licensed physician. If the advanced practice registered nurse orders the use of restraints, isolation, or seclusion, it must be reviewed in person by the attending licensed physician if the episode of restraint extends beyond a four-hour duration for a person under 18 years of age, beyond an eight-hour duration for a person 18 years of age or older, or for any total length of restraint lasting more than a four-hour duration in a 24-hour period in the case of a person under 18 years of age or beyond an eight-hour duration in the case of a person over 18 years of age in a 24-hour period. The review must occur prior to the time limit specified and must be documented by the licensed physician in the clinical record of the patient, resident, or client.

Depending on the circumstances under which an individual is committed to the facility, a security escort device may be used when an individual is transported outside a mental health facility based on the determination of the head of the facility or the attending licensed physician. These provisions allow a determination to also be made by the advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician.

Any order issued by the advanced practice registered nurse under these provisions must be reviewed in person by the attending licensed physician of the facility within 24 hours or the next regular working day of the order being issued, and the review must be documented in the clinical record of the patient, resident, or client.

The bill prohibits the use of restraint or seclusion in habilitation centers or community programs that serve persons with developmental disabilities that are operated or funded by the Division of Developmental Disabilities within the Department of Mental Health unless the procedure is part of an emergency intervention system approved by the division and is identified in the person’s individual support plan. Direct care staff who serve persons with developmental disabilities in habilitation centers or community programs operated or funded by the division must be trained in an emergency intervention system approved by the division when the emergency intervention system is identified in a consumer’s individual support plan.

### **SCS HB 1791 -- CONVEYANCE OF STATE PROPERTY**

This bill authorizes the Governor to convey specified state properties located in the counties of Buchanan, Gentry, Greene, Jackson, Marion, Pettis, Scott, St. Francois, St. Louis, and Vernon and the City of St. Louis.

The Governor is authorized to convey a road and utility easement over, on, and under property at the New Dawn State School in Scott County to the Sikeston R-6 School District.

#### **CCS SCS HCS HB 1831 -- CHILD CARE FACILITIES**

This bill changes the laws regarding the rules and requirements of the Department of Social Services for child-care providers who receive state or federal funds for providing fee assistance for these services. The department must:

(1) Establish publicly available website access to provider-specific information about any health and safety licensing or regulatory requirements for the providers including dates of inspections, history of violations, and compliance actions taken as well as specified consumer education information;

(2) Establish or designate a hotline for parents to submit complaints about child-care providers;

(3) Establish minimum requirements for building and physical premises. A child-care provider must meet the minimum requirements prior to receiving federal assistance;

(4) Establish necessary and reasonable rules and regulations to define pre-service training requirements for child care providers pursuant to applicable federal laws and regulations;

(5) Establish procedures for conducting unscheduled on-site monitoring of a child-care provider prior to receiving state or federal funds for providing child care services either by direct payment or through reimbursement to a child care beneficiary and annually thereafter;

(6) Require providers who receive assistance under applicable federal regulations and statutes to report any serious injuries or the death of children occurring in child care to the department; and

(7) Establish a transparent system of quality indicators appropriate to the provider setting that provides parents with a way to differentiate between child care providers available in their communities as required by federal rules. The system must describe the standards used to assess the quality of providers and indicate whether the provider meets the state's registration or licensing standards, is in compliance with applicable health and safety requirements, and the nature of any violations related to registration or licensing requirements. The system must indicate if the provider utilizes curricula and if the provider is in compliance with staff educational requirements.

These provisions must not be construed as authorizing the operation, establishment,

maintenance, or mandating or offering of incentives to participate in a quality rating system under Section 161.216, RSMo.

The bill specifies that children who are related to the member responsible for the daily operation of an in-home licensed child care facility organized as a business entity in this state and who meet the requirements of the child care provider must qualify for the exemption for related children. If more than one member of the business entity is responsible for the daily operation of the facility, the exemption can only be granted for children who are related to one of the members.

The bill requires each in-home child care facility to disclose its licensure status and provide a written explanation of the facility's disciplinary philosophy and policies to the parents or guardians enrolling children in the facility.

The provisions of the bill regarding child-care providers receiving state or federal funds for providing fee assistance will become effective upon the Department of Health and Senior Services providing notice to the Revisor of Statutes that the implementation of federal regulations mandating the provisions has occurred.

#### **HB 1835 -- BLIND PENSION BENEFITS**

This bill specifies that individuals who have been deemed by specified medical professionals to have no usable vision must be exempt from the five-year re-examination requirement in order to continue to be eligible to receive blind pension benefits.

#### **SS SCS HB 1865 -- TAXATION**

*(Vetoed by the Governor)*

Currently, in determining what portion of a corporation's income is taxable in Missouri, the business may use a method whereby the ratio of instate sales to total sales is multiplied by the net income. A method for determining whether sales of tangible property are to be considered instate is already established in current law. This bill specifies a process for all other sales.

For sales of real property or rentals of tangible personal property, the portion of the property sold or rented that is located in this state must be considered an instate sale. For sales of service, the portion of the benefits delivered to purchasers in this state must be considered an instate sale.

For rentals or licenses of intangible property, the portion used in this state by the rentee or licensee must be considered an instate sale. Intangible property used for marketing must be considered

used in this state if the good or service being marketed is purchased by a consumer in this state. Franchise fees or royalties for intangible property must be considered used in this state if the franchise is located in this state.

For sales of intangible property, the portion of the sale used in this state must be considered an instate sale. If the sale is for the right to conduct business activity in a certain geographic area, the sale must be considered instate if the geographic area is in this state. If receipts for sales of intangible property are dependent on use or productivity, the sale must be considered a lease or rental of intangible property. All sales of intangible property other than the right to conduct business in a specific area or sales with receipts contingent on productivity or use must be excluded from the sales factor when determining corporate income tax.

If it cannot be determined or reasonably approximated that a sale occurs in this state, the sale must be excluded from the sales factor for corporate income taxation.

The bill authorizes a state sales and use tax exemption for electricity, water, gas, coal, other energy sources or other utilities used or consumed in the manufacturing, processing, preparing, furnishing, compounding, or producing of food that is ultimately sold to customers for consumption on or off the premises at a restaurant, cafeteria, fast food restaurant, delicatessen, bakery, grocery store, convenience store, or other similar facility engaged in selling prepared food or that is used in research and development related to the activities.

### **SCS HB 1866 -- HIGHWAY AND BRIDGE DESIGNATIONS**

This bill authorizes the following highway and bridge designations:

(1) The portion of State Route U from the intersection of State Route M to the intersection of Province Road in Washington County as the "SGM Patrick R. Hurley Memorial Highway";

(2) The portion of State Route U from the intersection of Province Road to the intersection of State Highway 8 in Washington County as the "Thomas Wesley Benoist Memorial Highway";

(3) The bridge on State Highway 5 crossing over Interstate 44 in Laclede County as the "James R. Ledbetter Memorial Bridge";

(4) The bridge on Missouri Route N over the Meramec River in Franklin County as the "Marc Perez Memorial Bridge";

(5) The bridge on State Highway 185 crossing over Interstate 44 in Franklin County as the "James K. Schatz Memorial Bridge";

(6) The portion of Interstate Highway 49 in Newton County from the intersection of State Highway 60 to the Newton-McDonald County line as the "James B. Tatum Highway";

(7) The portion of Interstate 55 in St. Louis County and Jefferson County between Meramec Bottom Road and State Highway 141 as the "Police Officer Steven Jarvis Memorial Highway";

(8) The portion of U.S. Highway 54 in Cole County from the intersection of Hammann Drive to one mile south of the intersection as the "Billy Dean Robinett Memorial Highway";

(9) The bridge on East Stadium Drive crossing over Interstate 435 in Jackson County as the "Len Dawson Bridge";

(10) The portion of U.S. Highway 60 from the intersection of State Route O to the intersection of State Highway 5 in Wright County as the "Spc. Justin Blake Carter Memorial Highway for Life";

(11) The bridge on U.S. Highway 160 crossing over Lick Creek in Ozark County as the "Barney Douglas (The Citizen) Memorial Bridge";

(12) The portion of U.S. Highway 54 from the intersection of County Road 557 to the intersection of County Road 577 in Audrain County as the "Officer Orville Rosenstengel Memorial Highway"; and

(13) The portion of U.S. Highway 54 from the Kansas/Missouri state line east to the Missouri/Illinois state line as the "Discover More on Route 54" Highway.

The Department of Transportation must erect and maintain the appropriate signs for the designations with the costs to be paid for by private donations.

### **SS SCS HCS HB 1867 -- UNDERGROUND FACILITY SAFETY**

This bill changes the laws regarding underground facility safety. In its main provisions, the bill:

(1) Revises the definition of "excavation" to make technical changes and specifies that, for railroads regulated by the Federal Railroad Administration, "excavation" must not include any excavating done entirely on land the railroad owns or on which it operates or, in the event of an emergency, on excavating done by a railroad on adjacent land. Excavation does not include agricultural activities such as tilling 16 inches or less in depth;

(2) Revises the definition of “marking” from the use of paint, flags, stakes, and other identifying materials in accordance with the color code standard of the American Public Works Association to in accordance with the marking standards as designated by the Common Ground Alliance best practices version 10.0 except that “approximate location” must comply with specified requirements;

(3) Revises the definition of “notification center” to a statewide organization in operation at all times on a not-for-profit basis supported by a majority of the underground facility owners in Missouri;

(4) Revises the definition of “pipeline facility” to all parts of a facility through which a hazardous liquid or gas moves in transportation;

(5) Revises the definition of “underground facility” to specify that a structure that transports storm water drainage under roadways, driveways, or railways must not be considered an underground facility;

(6) Requires all underground facility owners in the state to maintain participation in a notification center during the time he or she owns and operates an underground facility. The notification center must be governed by a board of directors elected from all members with representatives from the general membership group;

(7) Repeals obsolete provisions regarding membership in the notification center by owners and operators in specified counties;

(8) Repeals the provision requiring an owner who has a written policy on determining the location of its underground facilities to make it available, upon request, to any notification participant and the provision requiring an excavator to provide clarification of an area if the owner or operator notifies the excavator that the area cannot be determined from the description provided by the excavator through the required notice;

(9) Requires an excavator to notify the underground facility owner, instead of the notification center participant, if the excavator discovers that the owner or operator has incorrectly located the facility. The owner must respond to an incorrect locate notification within two hours of receipt of the notification by contacting the person responsible for the excavation or by correctly locating the underground facility. If an excavator is unable to begin the excavation within 10 working days as described in the request, the excavator must make a relocate request before beginning the excavation. These provisions cannot allow any person other than the facility owner or his or her representative to mark or relocate any underground facility;

(10) Requires the excavator, prior to commencing work, to determine best practices for confirming the horizontal and vertical location of facilities at the site of excavation considering conditions at the site including geology, access to the site, and the presence of paved surfaces. Hand digging or soft digging must be used as a best practice when possible;

(11) Requires the person responsible for the excavation operations to notify the notification center in the event of any damage, dislocation, or disturbance of any underground facility in connection with any excavation. This provision must be deemed to require the reporting of any damage, dislocation, or disturbance to trace wires, encasements, cathode protection, permanent above-ground stakes, or other items utilized for protection of the underground facility. The excavator must immediately contact 911 when any damage or contact with a pipeline results in a release from the pipeline of hazardous liquid or gas. In the event of any damage, dislocation, or disturbance to any underground facility or any protective devices required to be reported by the excavator, the person responsible for the excavation operations cannot conceal or attempt to conceal the damage, dislocation, or disturbance nor can that person attempt to make repairs to the facility unless authorized by the underground facility owner. In the case of sewer lines or facilities, emergency temporary repairs may be made by the excavator after notification without the owner's or operator's authorization to prevent further damage to the facilities. The emergency repairs cannot relieve the excavator of the responsibility to make the notification;

(12) Requires, no later than April 1, 2015, and each year thereafter, each underground facility owner who owns or operates an electric, gas, or pipeline facility to submit to a central repository designated by the notification center a report of damages experienced by its facilities for the prior year. The notification center must determine the minimum information to be reported. All data submitted must be aggregated and anonymous. Information provided by the underground facility owner specific to damage data submitted must be accessible only to the underground facility owner unless otherwise designated by the underground facility owner;

(13) Requires an underground facility owner to mark the location of a facility within five days of receiving a design request if the facility owner and the person making the request are unable to mutually agree on a schedule;

(14) Prohibits the start of any excavation earlier than the scheduled excavation date provided on the

locate request unless the excavator has confirmed that all underground facilities have been located;

(15) Requires, after December 31, 2014, each underground facility owner receiving notifications from the notification center by use of the Internet to use the locate status system provided by the notification center. Those underground facility owners who do not receive notifications by the Internet must, no later than January 1, 2016, provide locate status to the notification center by an alternate method provided by the notification center;

(16) Repeals the provisions requiring the owner or operator of a pipeline facility or an underground electric or communications cable to inform the excavator of the approximate location of valves, vaults, or other appurtenances if the information available discloses that the appurtenances are located in or near the excavation area;

(17) Allows the owner or operator of an underground facility to make notice to the excavator that no facilities are located in the area of excavation by use of a locate status system and requires a record of the date and the means of informing the excavator that no facilities were located that are in the written records of the underground facility owner to be retained for five years;

(18) Requires the excavator to provide clarification of the area of excavation by marking the area with white flags or white paint, by providing project plans to the owner or operator, or by meeting on the site of the excavation with representatives of the owner or operator if the owner or operator notifies the excavator that the excavation area cannot be determined from the description provided through the required notice;

(19) Specifies that in addition to other requirements, the response to a notice of intent to excavate received by a sewer system owner, when the owner has underground facilities located in the area of excavation identified in the notice that indicates that trenchless excavation methods will be used, must include a determination of whether sewer service connections exist in the excavation area. If the sewer system owner determines that sewer service connections exist, the owner must provide his or her best available information regarding the location of the connections to the excavator by one of the specified methods. If the information does not exist, the owner must provide notice of that fact. Providing the best available information or notice that the information does not exist regarding the location of sewer service connections that exist in the area of excavation identified in a notice of intent to

excavate must constitute full compliance with these provisions, and a sewer system owner cannot be liable to any party for damages or injuries resulting from an excavation if he or she is in compliance with these provisions. Providing the best available information regarding the location of sewer service connections that exist in the area of excavation identified in a notice of intent to excavate cannot in and of itself constitute ownership, operation, control, or management of sewer service lines by a sewer system owner;

(20) Requires, beginning January 1, 2016, that if new lateral sewer pipes or water service lines are installed and connected to an underground facility or if the infrastructure is fully replaced by use of excavation within the public right-of-way, the facility owner must be required to place tracer wire or other utility location technology and an access point within the protective enclosure over water lines and cleanouts for gravity sewer laterals. When sewer laterals operate under pressure or vacuum, the facility owner is not required to place a cleanout. This provision must apply to all installations of water service lines and sewer laterals without regard to their status as underground facilities. An underground facility owner cannot be liable to any party for damages or injuries resulting from an excavation if he or she is in compliance with these provisions;

(21) Specifies that these provisions cannot relieve an excavator from the obligation to excavate in a safe and prudent manner nor does it absolve an excavator from liability for damage to underground facilities. The failure of any excavator to give notice of proposed excavation activities as required by law must be a rebuttable presumption of negligence on his or her part in the event that the failure causes injury, loss, or damage. The failure of an underground facility owner to mark his or her facilities that are located in an area of excavation described in a notice of intent to excavate received by the underground facility owner or the failure of an underground facility owner to be a notification center participant must be a rebuttable presumption of negligence on the part of the owner in the event that the failure causes injury, loss, or damage. In addition to any penalties, liability under common law may apply;

(22) Requires the Attorney General to make public the aggregate number of enforcement actions for the previous year prior to March 31;

(23) Allows parties with a dispute related to the provisions of the bill to request arbitration for disputes of less than \$5,000;

(24) Requires, for a request submitted as an emergency request that does not meet the definition of an emergency as specified in the bill, the facility owner to notify the excavator within two hours that the request does not meet the requirements of an emergency and the locate request will be marked within two working days;

(25) Repeals specified provisions of Chapter 319, RSMo, regarding the current notification center and an excavator giving notice of proposed activities; and

(26) Repeals specified provisions of Chapter 389 regarding utility access to a railroad right-of-way and the contractual relationship and fee structure between utilities, railroad owners, and land management companies that maintain property on behalf of a railroad.

The bill will become effective January 1, 2015.

#### **HCS HB 1882 -- PUBLIC EMPLOYEE RETIREMENT PLANS**

This bill changes the laws regarding the administrative requirements of public employee retirement plans. In its main provisions, the bill:

(1) Allows the Joint Committee on Public Employee Retirement (JCPER) to request the staff or board members of any public employee retirement system not complying with the committee's request for information to testify before the committee regarding the non-compliance;

(2) Modifies the notification requirement to the joint committee by all state and local public employee retirement systems of periodic cost-of-living increases to only require the notification for those systems providing new or additional payments beyond the prior year plan provisions;

(3) Changes the due date of JCPER's annual report to the General Assembly from no later than January 15 of each year to no later than the date of its annual first quarterly meeting;

(4) Modifies the definition of "substantial proposed change" to include the closing or freezing of a current defined benefit plan for the purposes of Sections 105.665, 105.670, 105.675, and 105.685, RSMo;

(5) Requires each plan to forward the required actuarial valuation to the committee within 60 days after completion or adoption of the valuation;

(6) Requires all public employee retirement plans, except for the Missouri Local Government Employees' Retirement System (LAGERS), to provide a projection of at least 10 years of the current plan provisions compared to the proposed change including the total annual contribution

requirements in estimated dollars and as a percent of active employee payroll, the actuarial value of assets, the market value of assets, the actuarial accrued liability, and the funded ratio;

(7) Requires the projection for LAGERS to include a prospective schedule of at least 10 years containing current and proposed provision estimated employer contributions as a percent of payroll and estimated annual dollars, the resulting difference, and the estimated difference between the actuarial accrued liability and actuarial value of assets for each scenario;

(8) Requires a board member who has served one or more years to attend at least a total of six hours, instead of at least two hours, of specified continuing education programs each year. Routine annual presentation by outside plan service providers cannot be used to satisfy educational requirements. A board member who is knowingly not participating in the required education programs may be removed from the board by a majority of the board members;

(9) Specifies that a plan cannot adopt or implement any additional benefit beyond current plan provisions in effect prior to August 28, 2007, that would, in aggregate with any other proposed plan provisions, increase the plan's actuarial accrued liability unless the plan's actuary determines that the funded ratio is at least 80% and will not be less than 75% after the adoption or implementation. Methods and assumptions used in valuing the proposed change may be modified if the nature is such that alternative assumptions are clearly warranted; and

(10) Requires all plans to develop a procurement action plan for utilization of minority and women money managers, brokers, and investment counselors and to report progress annually to the committee and the Governor's Minority Advocacy Commission.

#### **SCS HB 1968 -- RISK-BASED CAPITAL ANALYSIS**

This bill changes, from not less than once every three years to not less than once every five years, when the Director of Department of Insurance, Financial Institutions and Professional Registration, or any duly appointed representative, must make an examination of the affairs of a health maintenance organization. It also adds definitions for a health organization, a domestic health organization, and a foreign health organization.

The bill adds a health organization to the entities subject to risk-based capital examination, analysis, and regulation under Sections 375.1250 to 375.1275, RSMo. A health organization's risk-based capital must be determined in accordance with the specified



formula that must take into account and may adjust for the covariance between asset risk, credit risk, underwriting risk, and other business risks.

A foreign health organization must comply with the same regulatory requirements a foreign insurer is currently subject to under Section 375.1270.

The bill allows the department director to share documents, materials, or other information, including the confidential and privileged documents filed as part of a risk-based capital analysis, with other specified regulatory bodies if the recipient agrees to maintain the confidentiality and privileged status of the information.

The department director may exempt a domestic health organization from the risk-based credit examination requirements if it meets specified conditions.

The bill specifies the requirements that must apply for risk-based capital reports that must be filed by health organizations with respect to 2014 in lieu of specified provisions of the bill.

#### **HCS HB 1999 -- MOTOR VEHICLE LIEN DOCUMENTS**

*(Vetoed by the Governor)*

This bill allows the Director of the Department of Revenue to adopt rules and regulations allowing a lienholder who files a lien electronically on a motor vehicle or trailer to electronically release the lien.

#### **HB 2029 -- SALES TAX EXEMPTION FOR AIRCRAFT PARTS**

This bill removes the expiration date of January 1, 2015, from the provision regarding the state and local sales and use tax exemption on all materials, replacement parts, and equipment purchased for use directly upon and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories.

#### **HCS HB 2040 -- DRUG OVERDOSE TREATMENT**

This bill allows a qualified first responder to obtain and administer naloxone to a person suffering from an apparent narcotic or opiate-related overdose.

Any licensed drug distributor or pharmacy in Missouri may sell naloxone to qualified first responder agencies to allow the agency to stock naloxone for the administration of the drug to persons suffering from an apparent narcotic or opiate overdose in order to revive the person.

For the purposes of these provisions, "qualified first responder" means any state and local

law enforcement agency staff, fire department personnel, fire district personnel, or licensed emergency medical technician who is acting under the directives and established protocols of a medical director of a local licensed ground ambulance service licensed under Section 190.109, RSMo, who comes in contact with a person suffering from an apparent narcotic or opiate-related overdose and who has received training in recognizing and responding to a narcotic or opiate overdose and the administration of naloxone to a person suffering from an apparent narcotic or opiate-related overdose. "Qualified first responder agencies" means any state or local law enforcement agency, fire department, or ambulance service that provides documented training to its staff related to the administration of naloxone in an apparent narcotic or opiate overdose situation.

A qualified first responder must only administer naloxone in a manner in which he or she has received training for the administration of the drug.

#### **HB 2077 -- SURPLUS REVENUE FUND**

This bill requires up to \$215 million of moneys that would otherwise have been deposited into the General Revenue Fund to be deposited into the newly created Surplus Revenue Fund if during the two-year period beginning July 1, 2013, and ending June 30, 2015, state general revenue collections net of refunds exceed \$16.834 billion. Moneys in the Surplus Revenue Fund must be subject to appropriation by the General Assembly. Refunds owed to Missouri taxpayers for the two-year period must be paid in full by June 30, 2015.

#### **SCS HCS HB 2141 -- ALTERNATIVE MOTOR FUEL**

This bill specifies measurement standards and tax rates for compressed natural gas and liquefied natural gas as a motor fuel and removes them from the provisions regarding alternative fuel decal and tax requirements.

The tax on compressed natural gas fuel must be five cents per gasoline gallon equivalent as specified in the bill until December 31, 2019, then 11 cents per equivalent until December 31, 2024, and then 17 cents per equivalent thereafter.

The tax on liquefied natural gas fuel must be five cents per diesel gallon equivalent as specified in the bill until December 31, 2019, then 11 cents per equivalent until December 31, 2024, and then 17 cents per equivalent thereafter.

The bill creates an exception for owners or operators of passenger motor vehicles, buses, or commercial motor vehicles who may opt for the continued use of the alternative fuel decal if:

(1) The motor vehicles are powered by compressed or liquefied natural gas; and

(2) The owners or operators of the motor vehicles have installed a compressed or liquefied natural gas fueling station used solely to fuel the motor vehicle they own or operate as of December 31, 2015.

An owner or operator of a compressed or liquefied natural gas fueling station whose vehicles bear an alternative fuel decal must be prohibited from selling or providing compressed or liquefied natural gas to any motor vehicle they do not own or operate. Once an owner or operator under this exception declines to renew the alternative fuel decals, he or she must no longer be eligible to apply for and use the alternative fuel decals.

The bill adds airport business plans and strategic plans at existing airports to the permissible airport planning projects that may be paid for with moneys from the Aviation Trust Fund. Currently, if at least \$6 million is deposited into the fund in the previous calendar year, up to \$2 million may be expended annually for the study or promotion of expanded domestic or international scheduled commercial service, the study or promotion of intrastate scheduled commercial service, or to assist airport sponsors participating in a federally funded air service program supporting intrastate scheduled commercial service. The bill changes that provision to specify that if at least \$4.5 million is deposited into the fund in the previous calendar year, no more than \$2 million may be spent for the study or promotion of expanded domestic or international scheduled commercial service, the study or promotion of intrastate scheduled commercial service, the promotion of aviation in the state, or to assist airport sponsors participating in a federally funded air service program supporting intrastate scheduled commercial service in any calendar year and the State Highways and Transportation Commission must be required to expend at least \$4 million of the annual deposits into the fund for purposes other than those specified.

The bill changes the name of the Missouri Propane Gas Commission to the Missouri Propane Safety Commission and changes the membership of the commission by removing the member representing the Department of Natural Resources and replacing him with the State Fire Marshal or his or her designee.

Currently, a city, town, village, fire district, or other political subdivision cannot adopt or enforce any ordinance or regulation in conflict with the Missouri Propane Safety Act. The bill adds a county to the prohibition.

The bill adds compressed natural gas meters, liquefied natural gas meters, electrical charging stations, and hydrogen fuel meters to the list of devices that the Division of Weights and Measures in the Department of Agriculture may establish a fee for the registration, inspection, and calibration services performed by the division that is to be deposited into the Agriculture Protection Fund.

The provisions of the bill regarding standards of weights and measures must apply to the following commercial weighing and measuring equipment used for measuring or ascertaining the quantity of gas, electricity, or fuel for vehicle use: compressed natural gas meters, liquefied natural gas meters, electrical charging stations, and hydrogen fuel meters.

The bill becomes effective January 1, 2016.

#### **HB 2163 -- COMMERCIAL ZONE IN THE CITY OF COLUMBIA**

This bill establishes a commercial zone in the City of Columbia. A vehicle operating within the zone cannot exceed 15 feet in height or have a greater weight than 22,400 pounds on one axle. The commercial zone extends north from the city limits along U.S. Highway 63 for eight miles and east from the city limits along State Route WW to the intersection of State Route J and continues south on State Route J for four miles.

#### **SCS HCS HB 2238 -- HEMP**

This bill changes the laws regarding hemp. In its main provisions, the bill:

(1) Requires the Department of Health and Senior Services to issue a hemp extract registration card to a Missouri resident who is 18 years of age or older and meets specified criteria, including a signed statement from a neurologist that indicates the individual suffers from intractable epilepsy and may benefit from treatment with hemp extract and is consistent with a record from the neurologist concerning the individual contained in the database. The department must maintain a record of the name of each registrant and each minor receiving care from a registrant. The department may issue a hemp extract registration card to a parent of a minor who meets specified criteria;

(2) Requires the department to promulgate the rules necessary to implement these provisions and regulate the distribution of hemp extract from a cannabidiol oil care center to a registrant in addition to any other state or federal regulations and allows the department to promulgate rules to authorize clinical trials involving hemp extract;

(3) Specifies that a registration card must be valid for one year and renewable if at the time of renewal the registrant meets specified requirements;

(4) Requires the neurologist who signs the statement to keep a record of the evaluation and observation of a patient, including the patient's response to hemp extract, and transmit the record to the department;

(5) Requires the department to maintain a database of the records and treat the records as identifiable health data. The department may share the records with a higher education institution for the purpose of studying hemp extract;

(6) Specifies that "hemp extract" must mean an extract from a cannabis plant or a mixture or preparation containing cannabis plant material that:

(a) Is composed of no more than three-tenths of 1% tetrahydrocannabinol by weight;

(b) Is composed of at least 5% cannabidiol by weight; and

(c) Contains no other psychoactive substance;

(7) Specifies that an individual who has been issued a valid registration card or is a minor under a registrant's care possesses or uses hemp extract is not subject to the penalties for possession or use of the hemp extract if the individual possesses or uses the hemp extract only to treat intractable epilepsy; originally obtained the hemp extract from a sealed container with a label indicating the hemp extract's place of origin and a number that corresponds with a certificate of analysis; possesses, in close proximity to the hemp extract, a certificate of analysis that contains specific information about the extract; and has a current registration card;

(8) Specifies that an individual who possesses hemp extract lawfully and administers hemp extract to a minor suffering from intractable epilepsy is not subject to the penalties for administering the hemp extract to the minor if the individual is the minor's parent or legal guardian and is registered with the department as the minor's parent;

(9) Allows an individual who has been issued a valid hemp extract registration card or is a minor under a registrant's care to possess up to 20 ounces of hemp extract under these provisions. An individual may apply for a waiver if a physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, 20 ounces is an insufficient amount to properly alleviate the patient's medical condition or symptoms associated with the medical condition;

(10) Defines "cannabidiol oil care center" as the premises specified in an application for a cultivation and production facility license in which the licensee is authorized to distribute processed hemp extract to persons possessing a hemp extract registration card;

(11) Defines "cultivation and production facility" as the land and premises specified in an application for a cultivation and production facility license on which the licensee is authorized to grow, cultivate, process, and possess hemp and hemp extract;

(12) Defines "cultivation and production facility license" as a license that authorizes the licensee to grow, cultivate, process, possess, and distribute hemp extract to its cannabidiol oil care centers;

(13) Defines "grower" as a nonprofit entity licensed by the Department of Agriculture that produces hemp extract for the treatment of intractable epilepsy;

(14) Defines "hemp monitoring system" as an electronic tracking system that includes, but is not limited to, testing and data collection established and maintained by the cultivation and production facility and is available to the department for the purposes of documenting the hemp extract production and retail sale of the hemp extract;

(15) Requires the Department of Agriculture to issue a cultivation and production facility license to a nonprofit entity to grow or cultivate the cannabis plant used to make hemp extract under these provisions, but prohibits the department from issuing more than two licenses at any one time;

(16) Allows a grower to produce and manufacture hemp and hemp extract and distribute hemp extract for the treatment of persons suffering from intractable epilepsy consistent with any and all state or federal regulations regarding the production, manufacture, or distribution of the product;

(17) Requires the Department of Agriculture to maintain a list of growers and all growers to keep records in accordance with rules adopted by the department. Upon at least three days' notice, the department director may audit the required records during normal business hours. The department director may conduct an audit for the purpose of ensuring compliance with these provisions;

(18) Allows the Director of the Department of Agriculture to inspect independently, or in cooperation with the State Highway Patrol or a local law enforcement agency, any hemp crop during the crop's growth phase and take a representative composite sample for field analysis. The department director may detain, seize, or embargo the crop if

a crop contains an average tetrahydrocannabinol (THC) concentration exceeding the lesser of:

- (a) Three-tenths of 1% on a dry weight basis; or
  - (b) The percent based on a dry weight basis determined by the federal Controlled Substance Act under 21 U.S.C. Section 801 et seq.;
- (19) Requires the Department of Agriculture to promulgate rules including, but not limited to, application requirements for licensing; security requirements for cultivation and production facilities; rules relating to hemp monitoring systems; other procedures for internal control as deemed necessary to properly administer and enforce these provisions; requirements that any hemp extract received from a legal source be submitted to a testing facility to ensure that it does not contain any pesticides; and rules regarding the manufacture, storage, and transportation of hemp and hemp extract in addition to any other state or federal regulations;
- (20) Requires all hemp waste from the production of hemp extract to be destroyed, recycled by the licensee at the hemp cultivation and production facility, or donated to the department or an institution of higher education for research purposes and not be used for commercial purposes; and
- (21) Allows the Director of the Department of Agriculture to revoke or refuse to issue or renew a cultivation and production facility license and to impose a civil penalty of up to \$2,500 on a grower for any violation of these provisions.

The bill contains an emergency clause.

#### **HJR 48 -- VETERANS LOTTERY TICKET**

Upon voter approval, this proposed constitutional amendment requires the State Lottery Commission to develop and begin selling a "Veterans Lottery Ticket" by July 1, 2015. All net proceeds received from the sales of these tickets must be deposited solely into the Veterans Commission Capital Improvement Trust Fund.

#### **SS HJR 68 -- SALES AND USE TAX FOR TRANSPORTATION**

Upon voter approval, this proposed constitutional amendment raises the state sales and use tax by .75% for a period of 10 years. The proceeds from the additional tax are to be used for transportation purposes and cannot be used for administrative purposes. The additional tax must not apply to the retail sale of food. The Oversight Division of the Joint Committee on Legislative Research must conduct a program evaluation of the Department of Transportation to ensure that the additional

funds are used as required under the provisions of the resolution and submit a report to the General Assembly by January 1, 2020.

Five percent of the sales and use tax proceeds must be deposited into the newly created County Aid Transportation Fund. Moneys in the fund must be distributed to the counties in the state based on the county road mileage and assessed rural land valuation calculation in Article IV, Section 30(a) of the Missouri Constitution except that 5% of the moneys must be distributed to the City of St. Louis. The proceeds distributed to the counties must be used for specified county highway and bridge purposes, state highway system purposes, or county transportation system purposes.

Five percent of the sales and use tax proceeds must be deposited into the newly created Municipal Aid Transportation Fund. Moneys in the fund must be distributed to cities, towns, and villages in the state based on the population ratio calculations in Article IV, Section 30(a) of the Missouri Constitution. The proceeds distributed to the cities, towns, and villages must be used for specified city, road, street, and bridge purposes; state highway system purposes; or city transportation system purposes.

The remaining 90% of the sales and use tax proceeds must be deposited into the newly created Transportation Safety and Job Creation Fund. Moneys in the fund must stand appropriated without legislative action to be used and expended at the sole discretion of the Highways and Transportation Commission within the Department of Transportation for specified state highway system purposes or state transportation system purposes.

The resolution prohibits the General Assembly, counties, and municipalities from increasing or decreasing the motor fuel tax from the rate of the tax authorized by law on January 1, 2014, while the .75% tax is in effect.

The commission, counties, and municipalities are prohibited from authorizing, owning, or operating a toll highway or toll bridge on a highway or bridge while the .75% tax is in effect.

The resolution requires, prior to the effective date of these provisions and prior to any subsequent election to extend the tax, the commission to approve a list of its projects, programs, and facilities, with a priority given to safety, on the state highway system and state transportation system that must be funded from the additional proceeds from the tax deposited into the Transportation Safety and Job Creation Fund. The commission must annually submit a report to the Governor, General Assembly, and

Joint Committee on Transportation Oversight that includes the status of the approved list of projects, programs, and facilities. During the 10-year period the temporary tax is in effect, the commission must include the approved projects, programs, and facilities in one or more of the five-year statewide transportation improvement programs approved by the commission. A taxpayer of the state must have standing to bring suit in the Cole County Circuit Court to compel the commission's inclusion of approved projects in a five-year statewide transportation improvement program.

Upon voter approval of the temporary tax at the 2014 general election or at a special election, these provisions will be effective January 1, 2015, and must continue for 10 years and be resubmitted to the voters for approval at the general election every 10 years thereafter. If at any subsequent election, a simple majority of votes cast do not approve the issue, these provisions must terminate on December 31 of the year when the last election was held.

#### **HJR 72 -- GOVERNOR'S BUDGETARY AUTHORITY**

Upon voter approval, this constitutional amendment prohibits the Governor from determining estimated available state revenues when making budget recommendations to the General Assembly using any projection of new revenues to be created from proposed legislation that has not been passed into law by the General Assembly. The Governor may include estimates of any unspent fund balances that will constitute a surplus during the immediately preceding fiscal year or years for which the Governor is recommending a budget. New revenues cannot include existing provisions of law subject to expiration during the ensuing appropriation period.

The resolution prohibits the Governor from reducing any appropriation for the payment of public debt and requires him or her to notify the General Assembly by proclamation whenever the rate of expenditure for any appropriation is not expended in equal quarterly allotments or when the Governor reduces one or more items or a portion of an item of appropriation of money because actual revenues are less than the revenue estimates upon which the appropriations were based. The appropriation can be reconsidered in the same manner as an override of a vetoed bill is reconsidered anytime the General Assembly is in session or when the next General Assembly convenes.

#### **SS SCS HCS HJR 90 -- EARLY VOTING**

Upon voter approval, this proposed constitutional amendment requires, beginning with the 2016

general election, the establishment of an early voting period prior to the general election. The period will run for six days terminating on the last Wednesday before a general election and not including Saturday or Sunday. In person voting will be during regular business hours at the local election authority sites. Voting may be in-person or by mail using ballots similar to absentee ballots, but an excuse or reason will not be required to vote early. A voter making use of early voting must be registered by the fourth Wednesday prior to the general election. A qualified voter may request delivery of one ballot by mail per general election upon written request to the Office of the Secretary of State or to his or her local election authority.

The resolution contains restrictions on the release of identifying information of a voter who votes early. Laws may require the release of information on those not voting early, but the identity and residential address of anyone voting early will be confidential unless the qualified voter agrees in writing to the release of the information. Each local election authority must appoint an election judge from each major party for each voting site with the appointment process identical to that required by general election law. Procedures for counting, tabulating, and casting ballots are the same as in general law.

The resolution requires the state to appropriate funds for the payment of any new expenses incurred by local election authorities. The resolution does not repeal or modify general election laws or constitutional provisions regarding the voting process such as the right to cast an absentee ballot.

The provisions of the resolution must be self-executing and the resolution contains an entrenching clause requiring that subsequent constitutional amendments reference the resolution in order to modify or change its content. It also states that it cannot be repealed by implication.

The resolution contains a severability clause.



***TRULY AGREED TO AND FINALLY PASSED***

**SENATE BILLS**





**HCS SS SCS SB 491 -- MISSOURI CRIMINAL CODE**

This bill changes the laws regarding the Missouri Criminal Code. In its main provisions, the bill:

(1) Changes the felony classification of specified criminal offenses;

(2) Changes from the Department of Social Services to the Department of Health and Senior Services where a person reports elderly abuse (Section 197.1002, RSMo);

(3) Adds a habitual offender to the list of offenders who are prohibited from being placed on electronic monitoring (Section 221.025);

(4) Creates the offense of manufacturing a false identification, a class A misdemeanor. A person commits the offense if he or she possesses any means of identification for the purpose of manufacturing and providing or selling a false identification card to a person younger than 21 years of age for the purpose of purchasing or obtaining alcohol (Section 311.315);

(5) Establishes a class E felony and a class D misdemeanor. The bill specifies that any unclassified felony or felony for which the maximum term of imprisonment is four years will be a class E felony, and it will be a class D misdemeanor if the offense includes a mental state as an element of the offense and there is no authorized imprisonment (Sections 557.016 and 557.021);

(6) Repeals the provisions requiring the court to give notice of the time and place of sentencing to the prosecuting attorney and law enforcement agency within whose jurisdiction the prosecution was initiated in all felony cases (Section 557.046);

(7) Increases the fines for misdemeanors and felonies (Section 558.002);

(8) Changes the laws regarding the offense of involuntary manslaughter in the first degree by only including a person who recklessly causes the death of another person (Section 565.024);

(9) Specifies that a person commits the offense of involuntary manslaughter in the second degree, a class E felony, if he or she acts with criminal negligence to cause the death of any person (Section 565.027);

(10) Changes the laws regarding the offense of assault (Sections 565.050 - 565.079);

(11) Changes the laws regarding the crime of harassment and separates it into harassment in the first or second degree (Sections 565.090 and 565.091);

(12) Changes the laws regarding the offense of child kidnapping and separates it into kidnapping in the first, second, or third degree (Sections 565.110 - 565.140);

(13) Allows the court, upon a finding of guilt for an offense of interference with custody, parental kidnapping, or child abduction, in addition to or in lieu of any sentence or fine imposed, to assess as restitution against the defendant and in favor of the legal custodian or parent any reasonable expenses incurred by the legal custodian or parent in searching for or returning the child (Sections 565.150 - 565.156);

(14) Changes the laws regarding the offense of abuse of an elderly person, a person with a disability, or a vulnerable person; the offense of filing a false elder abuse or neglect report; the offense of failure to report abuse or neglect of a vulnerable person; and the offense of filing a false vulnerable abuse report (Sections 565.184, 565.188, 565.222, and 630.162);

(15) Changes the laws regarding the offense of stalking (Sections 565.225 and 565.227);

(16) Changes the laws regarding the offense of invasion of privacy (Section 565.252);

(17) Changes the laws regarding the offense of sodomy (Sections 566.060 - 566.064);

(18) Changes the laws regarding the offense of child molestation (Sections 566.067 - 566.071);

(19) Specifies that the offense of sexual contact with a student includes any public or private K-12 school or on any school bus used by the school district. The student's consent to the sexual contact is not a defense to prosecution for a violation of these provisions (Section 566.086);

(20) Changes the laws regarding the offense of sexual misconduct and sexual abuse (Sections 566.093 - 566.100);

(21) Changes the laws regarding the offense of sex with an animal (Section 566.111);

(22) Changes the laws regarding the offense of sexual conduct with a nursing facility resident or vulnerable person (Sections 566.115 and 566.116);

(23) Changes the laws regarding a persistent and a predatory sexual offender (Section 566.125);

(24) Changes the laws regarding the offenses of prostitution, patronizing prostitution, promoting prostitution, and promoting travel for prostitution (Sections 567.010 - 567.120);

(25) Specifies that a court cannot grant probation to a person who has previously been found guilty of an incest offense (Section 568.020);

(26) Repeals a provision stating that Section 568.045 is to be known as Hope's Law (Section 568.045);

(27) Changes the laws regarding the offense of arson (Sections 569.040 - 569.053);

(28) Changes the laws regarding the offense of negligent burning or exploding to include a person who with criminal negligence damages property, woodlands, cropland, grassland, prairie, or marsh by starting a fire or causing an explosion or allowing a fire burning on lands in his or her possession or control onto the property of another (Section 569.065);

(29) Raises or lowers the financial thresholds for certain offenses regarding tampering with computer equipment, property damage, stealing, alteration or removal of an item, counterfeiting, passing bad checks, fraudulent use of a credit or debit device, identity theft, food stamps, and institutional vandalism (Sections 569.097 - 569.100, 570.020, 570.057, 570.085 - 570.130, 570.180, 570.223, 570.400 - 570.408, and 574.085);

(30) Specifies that Section 569.132 is to be known as the Crop Protection Act and classifies the offense of prohibited acts involving crops based on the amount of loss or damage to a crop (Section 569.132);

(31) Specifies that the provisions regarding the offense of unlawfully entering or defacing a cave or cavern or polluting cave or subsurface waters do not apply to vertical or horizontal underground mining operations (Sections 569.135 and 569.137);

(32) Changes the laws regarding the offense of second degree robbery to include a person who in the course of the offense causes physical injury to another person (Section 570.025);

(33) Changes the laws regarding the offense of stealing (Section 570.030);

(34) Specifies that a person who appropriates cable television service cannot be deemed to have stolen that service under specified conditions (Section 570.039);

(35) Changes the laws regarding the offense of deceptive business practice to include promoting the sale of property or services by a false or misleading statement in an advertisement or advertising with the purpose not to sell or provide the property or services at the price he or she offered or in a quantity sufficient to meet the reasonably expected public demand or at all (Section 570.140);

(36) Changes the laws regarding the offense of financial exploitation of an elderly person or person with a disability (Section 570.145);

(37) Repeals the provisions regarding the offense of telephone service fraud (Section 570.190);

(38) Repeals certain provisions regarding the offense of library theft (Sections 570.200 and 570.215);

(39) Changes the laws regarding the offense of misapplication of funds of a financial institution (Section 570.217);

(40) Changes the laws regarding the offense of misappropriation of intellectual property (Section 570.225);

(41) Changes the laws regarding the offense of facilitating the theft of cable television service (Section 570.300);

(42) Specifies that the provisions of Chapter 572 do not prohibit authorized gambling activities under specified sections of the Missouri Constitution (Section 572.015);

(43) Changes the offense of public display of explicit sexual material to include a person who recklessly exposes, places, exhibits, or displays explicit sexual material in any location in a manner that it may be readily seen from a street, highway, public sidewalk, or the property of others or from the person's store or the exhibitor's store or property when items and material other than the explicit material are offered for sale or rent to the public (Section 573.060);

(44) Repeals the provisions regarding video cassettes or other video reproduction devices that must be kept in a separate area and prohibits their sale or rental to persons under 17 years of age (Section 573.090);

(45) Prohibits a person from establishing a sexually oriented business if that person has been found guilty of offenses specified in the bill and less than eight years has elapsed since the date of conviction or release from confinement for the conviction, whichever is later (Section 573.531);

(46) Changes the laws regarding the offense of making a terrorist threat (Sections 574.115 - 574.125);

(47) Changes the laws regarding the offense of cross burning to include a person who burns or causes a cross to be burned with the purpose to frighten, intimidate, or cause emotional distress to any person or group of persons (Section 574.140);

(48) Changes the laws regarding persistent, chronic offenders (Sections 577.001 - 577.012, 577.023, and 579.170);

(49) Specifies when a person commits the offense of boating while intoxicated and the offense of boating with excessive blood alcohol content (Sections 577.013 and 577.014);

(50) Changes the laws regarding a person operating an aircraft while intoxicated or with excessive blood alcohol content (Sections 577.015 - 577.021 and 577.037);

(51) Adds a phlebotomist to the list of individuals authorized to withdraw blood for the purpose of determining blood alcohol content (Section 577.029);

(52) Changes the laws regarding the offense of leaving the scene of an accident to include a vessel involved in an accident resulting in injury, death, or damage to another person's property and requires a law enforcement officer who investigates or receives information of an accident involving an all-terrain vehicle and the loss of life or serious physical injury to forward a written report of the accident to the Department of Public Safety and keep a record in his or her office (Section 577.060);

(53) Changes the laws regarding the offense of failure to report a shooting (Section 577.068);

(54) Changes the laws regarding the offense of littering (Section 577.070);

(55) Changes the laws regarding the offense of damaging state park property to include a person who removes, injures, disfigures, defaces, or destroys an object of archaeological or historical value within a state park (Section 577.073);

(56) Repeals the provision regarding the offense of refusing to immediately relinquish a party telephone line during an emergency (Section 577.105);

(57) Repeals the provision regarding the offense of operating a motor vehicle while younger than 16 years of age (Section 577.110);

(58) Repeals the provision regarding implied consent for a chemical test of an aircraft operator (Section 577.206);

(59) Repeals the provision regarding implied consent for a chemical test on a dead body (Section 577.211);

(60) Changes the laws regarding ignition interlock devices (Sections 577.599 - 577.612);

(61) Changes the laws regarding the offense of hazing (Section 578.365);

(62) Specifies the conditions under which a person commits the offense of sports bribery in the first and second degree (Sections 578.398 and 579.399);

(63) Changes the laws regarding the offense of prohibited acts against animal research and production facilities (Section 578.405);

(64) Adds an affirmative defense to the offenses of unlawful fishing, hunting, or trapping on private land and unlawful retrieval of large or small game when

the premises were at the time open to members of the public and the person complied with conditions imposed on access or the privilege of remaining on the premises (Sections 578.520 and 578.525);

(65) Creates the offense of possession of not more than 10 grams of marijuana or any synthetic cannabinoid and specifies that the penalty for this offense is a class D misdemeanor unless the defendant has previously been found guilty of any offense related to controlled substances, in which case the offense is a class A misdemeanor (Section 576.015);

(66) Changes the amount of crack cocaine that is required before a person can be charged with first or second degree drug trafficking from two grams to eight grams and increases the amount of crack that leads to an enhanced penalty from six grams to 24 grams (Sections 579.065 and 579.068);

(67) Adds the condition of "knowingly" to certain drug-related offenses (Sections 579.074, 579.078 - 579.086, 579.105, 579.150, and 579.155);

(68) Changes the laws regarding the offense of unlawful manufacture of drug paraphernalia (Section 579.076);

(69) Changes the laws regarding the offense of possession of methamphetamine precursors to include a person who possesses more than 24 grams of ephedrine or pseudoephedrine. The provision does not apply to any practitioner or product possessed in the course of legitimate business (Section 579.110); and

(70) Changes the laws regarding a victim of domestic assault or stalking (Sections 595.223 and 595.226).

The bill becomes effective January 1, 2017.

## **CCS HCS SCS SB 492 -- HIGHER EDUCATION**

This bill changes the laws regarding higher education.

### **TEACHER TRAINING (Section 161.097, RSMo)**

The bill changes the laws regarding the approval of teacher training programs in higher education institutions. In its main provisions, the bill:

(1) Establishes the Missouri Advisory Board for Educator Preparation within the Department of Elementary and Secondary Education to advise the State Board of Education and the Coordinating Board for Higher Education on matters of mutual interest in quality educator preparation programs; and

(2) Repeals an obsolete provision that allows the State Board of Education to accredit a law school

and requires any graduate to be allowed to take the examination for admission to the Missouri Bar.

#### COMMUNITY COLLEGES (Section 163.191)

In addition to technical changes, the bill requires, beginning in Fiscal Year 2016, that at least 90% of any increase in core funding over the appropriated amount for the previous fiscal year be distributed in accordance with the achievement of performance-funding measures under Section 173.1006 unless the General Assembly chooses to otherwise appropriate state funding. The bill adds the Governor and the Joint Committee on Education to those to whom the Department of Higher Education must submit a report evaluating the effectiveness of the resource allocation model by October 31, 2019, and every four years thereafter.

#### MISSOURI SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS INITIATIVE (Sections 173.670 - 173.680)

The Missouri Science, Technology, Engineering and Mathematics Initiative is expanded to require the Department of Higher Education to develop a grant process for Missouri public two- and four-year higher education institutions and school districts that have entered into articulation agreements to offer information technology certification through technical course work leading to postsecondary academic credit. The department must develop a program to offer information technology certification through technical course work to students enrolled in a public high school that has entered into an articulation agreement with a Missouri public two- or four-year higher education institution. The program must provide instruction on skills and competencies essential for the workplace and requested by employers that includes specified components. The department must conduct a study to identify the information technology industry certifications most frequently requested by Missouri employers by January 31, 2015, and provide a report on its findings to the President Pro Tem of the Senate, Speaker of the House of Representatives, Joint Committee on Education, Governor, Coordinating Board for Higher Education, and State Board of Education.

#### INSTITUTIONAL PERFORMANCE MEASURES (Section 173.1006)

The bill replaces provisions regarding performance measures with the performance measures that have been developed subsequently. Each institution must utilize the five institutional performance measures that were approved by the Coordinating Board for Higher Education and adopt an additional measure concerning job placement

in a field or position associated with the student's degree level and pursuit of a graduate degree. The job placement measure may not be used in any year when the state's unemployment rate has risen from the previous year. The board must evaluate and revise, if necessary, the measures every three years beginning in 2019 or more frequently at the board's discretion, and the Department of Higher Education must evaluate the effect of the measures on statewide postsecondary, higher education, and workforce goals and submit a report to the Governor, Joint Committee on Education, Speaker of the House of Representatives, and President Pro Tem of the Senate by October 31, 2019, and every four years thereafter.

#### FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION (Section 173.1540)

Each year, each public four-year higher education institution must prepare a budget request and submit it to the Department of Higher Education for review and recommendations for appropriations. The four-year institutions must cooperatively develop and revise an increase allocation model which the department must recommend to the Coordinating Board for Higher Education for approval by October 31, 2014. The core-funding level for each institution will be the appropriated amount for Fiscal Year 2015 and increases must be incorporated into the base starting with Fiscal Year 2016. Unless otherwise provided by the General Assembly during the appropriations process, at least 90% of any increase over the base year must be distributed in accordance with the performance funding model, and no more than 10% of any increase over the base can be distributed through any combination of full-time equivalency or other agreed-upon basis to address inequity and weighted full-time equivalent credit hours to provide enrollment, program offerings, and mission sensitivity on an on-going basis. The department must submit, by October 31, 2019, and every four years thereafter, a report to the Governor, Joint Committee on Education, Speaker of the House of Representatives, and President Pro Tem of the Senate evaluating the effectiveness of the increase allocation model.

#### STATE TECHNICAL COLLEGE OF MISSOURI (Section 178.638)

Unless the General Assembly chooses to otherwise appropriate state funding, the bill specifies that, beginning in Fiscal Year 2016, at least 90% of any annual increase in core funding over the previous year must also be distributed to the State Technical College of Missouri in accordance with the performance-funding measures.

**LARGE ANIMAL VETERINARIAN STUDENT LOAN PROGRAM (Sections 340.381 and 340.396)**

The Large Animal Veterinary Student Loan Program is renamed the Dr. Merrill Townley Large Animal Veterinary Student Loan Program, and the expiration date of the provisions regarding the program are repealed.

**CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 -- ELEMENTARY AND SECONDARY EDUCATION*****(Vetoed by the Governor)***

This bill changes the laws regarding elementary and secondary education.

**DEFINITIONS (Sections 160.011 and 167.848, RSMo)**

The definition of "graduation rate" is revised to the graduation rate determined by the annual performance report required by the Missouri School Improvement Program. The bill adds definitions relating to the accreditation and transfers programs.

**SCHOOL SCHEDULES AND CALENDARS (Sections 160.041, 163.021, 163.073, and 171.029 - 171.033)**

Currently, public schools are required to be in session for a minimum of 174 days and 1,044 hours. The bill removes the requirement for days beginning with school year 2015-2016 and only requires 1,044 hours of attendance. Beginning with the 2015-2016 school year, in any regular or summer school term, the school days must be scheduled so that no school day is rescheduled during the week of July 4th if the holiday falls on a business day or to have at least four days off if the holiday falls on a weekend. Beginning in the 2015-2016 school year, the required number of hours of attendance for kindergarten pupils must be 522. The provisions allowing a school board to adopt a four-day school week will terminate on July 1, 2015. School calendars must specify the days of planned attendance as of school year 2015-2016. Beginning in the 2015-2016 school year, the school calendar must include 36 make-up hours for possible loss of attendance due to inclement weather. School districts that prefer to start before the statutory start date must hold a hearing on the matter on a separate date from a regularly scheduled board meeting.

The school board of any provisionally accredited or unaccredited district or district for which the three-year average annual performance report is consistent with those classifications may increase the length of the school day or year above the statutory minimum. The Extended Learning Time Fund is created to be used for schools that extend their school day or hours of instruction. The requirements for make-up days are also changed

from days to hours, beginning with 2015-2016 school year.

**CHARTER SCHOOLS (Sections 160.400 - 160.417 and 163.036)**

The school board of a district that is accredited without provisions or a combination of the school boards of districts that are accredited without provisions may sponsor charter schools in unaccredited districts. When a sponsor notifies a charter school of closure, the Department of Elementary and Secondary Education must withhold funds from the school to assure all obligations of the school will be met, and if funds are not sufficient, a court may determine the prioritization of the distribution of assets.

Currently, a charter must be a legally binding performance contract. The bill revises this requirement so that a charter must include a legally binding performance contract. Currently, the State Board of Education must approve a charter by December 1 of the year prior to the proposed opening date of the charter school. The bill changes the date to by January 31 before the school year of the proposed opening date. Currently, when a charter application to the state board is submitted, it must include a statement of finding that the application meets statutory requirements; this provision is changed to specify that the statement is to be made by the sponsor.

The state board must approve or disapprove a charter application within 60 days of its receipt. Any charter application received on or before November 15 of the year prior to the proposed opening of the charter school must be considered by the state board within 60 days. At the end of 60 days, the charter application will be deemed approved unless the state board disapproves it on the grounds that it fails to meet statutory requirements or that the sponsor has previously failed to meet the statutory responsibilities of a sponsor. Any disapproval must be in writing and identify the specific failures of the application to meet the statutory requirements. The written disapproval must be provided to the sponsor within 10 business days. The department must calculate and publish an annual performance report for each charter school.

The bill establishes the requirements for being classified as a high-quality charter school and requires expedited opportunities to replicate or expand into unaccredited districts and the city school districts of St. Louis and Kansas City subject to conditions and time lines specified in the bill.

Currently, a charter school may not charge tuition. The bill revises this provision to specify that a

charter school may not charge tuition or impose a fee that a school district is prohibited from charging or imposing.

The bill exempts a charter school in its first three years of operation from the provisions regarding being classified as experiencing financial stress, but the exemption is not applicable to funds received from the United States Department of Education.

When a local school board sponsors a charter school, it may only submit an estimate of the district's weighted average daily attendance for the current year. The school board is prohibited from using a weighted average daily attendance count from any preceding year for the purposes of determining the amount of state aid to which it is entitled.

#### SCHOOL DISTRICT ACCREDITATION (Sections 161.084 and 161.086)

The State Board of Education cannot classify a school district as unaccredited or reclassify an accredited district as provisionally accredited when there is no state board member who is a resident of the Congressional district in which the school district is located until the Governor has received notice from the state board of its intent to change the classification, after which the Governor must make the appointment within 30 days of the notification.

When the state board assigns classification designations to school districts, it must use one of the following designations: unaccredited, provisionally accredited, accredited, or accredited with distinction.

#### ASSISTANCE TEAMS (Section 161.086)

The State Board of Education must develop and implement a process to provide assistance teams to borderline and underperforming districts. The bill specifies the membership and a time line for the teams for 2014-2015 school year, requiring that districts with the lowest annual performance scores be given priority. The team's suggestions are mandatory for underperforming districts, but not for borderline districts.

#### ATTENDANCE CENTER ACCREDITATION (Section 161.238)

The State Board of Education must adopt a system of classification that accredits attendance centers (individual schools) within a district separately from the district as a whole. The state board may consider certain types of attendance centers as exempt from classification. Separate special education schools and juvenile detention centers within a special school district are not subject to this provision,

although the annual performance scores of all of the schools in a special school district must continue to be reported. Classification by attendance center will not be subject to the two-year delay on accreditation rule changes required for district accreditation.

#### STATE BOARD OF EDUCATION INTERVENTION POWERS (Section 162.081)

The State Board of Education may lapse all or a part of an unaccredited school district. If it appoints a special administrative board (SAB) for the operation of a part of the district, the state board must determine an equitable apportionment of state and federal aid, and the district must provide local revenue in proportion to the weighted average attendance of the part governed by the SAB. The SAB must not have more than 49% of its membership comprised of the elected school board members of the district. Neither the state board nor the SAB may raise the tax levy of the district without a public vote, except as provided by law. When the state board determines an alternative governing structure for an unaccredited district, the alternative form of governance will retain the authority granted to the board; will expire at the end of the third year of its appointment unless reauthorized; will not be deemed to be the state or a state agency; and will not be considered a successor entity for purposes of employment contracts, unemployment compensation, or any other purpose.

If the state board reasonably believes that a school district is unlikely to provide for the minimum school hours required by Section 163.021 because of financial difficulty, the state board may, prior to the start of the school term, allow continued governance by the existing district school board under terms and conditions established by the state board. As an alternative, the state board may lapse the corporate organization of the district and implement one of the options available to the state board to intervene in an unaccredited district. These provisions must not apply to a district solely on the basis of financial difficulty resulting from tuition and transportation expenses under a student transfer program.

#### LOCAL EFFORT CALCULATION AND BOUNDARY LINE CHANGES (Section 162.432)

Currently, the calculation of local effort uses a school district's assessed valuation figure from 2004. When a change in school district boundary lines occurs, the Department of Elementary and Secondary Education must adjust each affected district's local effort calculation based on the land area adjustments from the boundary line change using 2004 assessed valuation data.

**VIRTUAL COURSES (Section 162.1250)**

Currently, when a resident student completes a virtual course offered by his or her school district, the student's attendance is calculated as 94% of the hours of attendance for the class in a non-virtual program. The bill specifies that when a student is a candidate for A+ Schools Program tuition reimbursement, the school must attribute at least 95% attendance to any student who has completed the virtual course.

**TRANSIENT STUDENTS (Sections 162.1303 and 162.1305)**

The Department of Elementary and Secondary Education must annually calculate a transient student ratio for each public school building and each school district. The transient student ratio must be published on the department's website and in the school accountability report card for each district and public school building. The department must also publish on its website the state's aggregate transient student ratio. The transient student ratio must be calculated using specified data, including the number of students enrolled in the district or school, the number of students who withdraw from the district or school, and the number of students who are enrolled, withdrew, and later reentered the district or school. Each school district must report annually to the department any information and data necessary for the department to calculate transient student ratios. The scores of transient students on a statewide assessment must not be included when calculating the status or progress scores on the district's annual performance report in the student's first year and must be phased in over a three-year period as specified in the bill.

**PARENT NOTIFICATION OF UNACCREDITED STATUS AND HOME VISITS (Section 162.1310)**

When a district or attendance center is classified as unaccredited, the district must notify the parents or guardians of the enrolled students of the loss of accreditation within seven business days. The notice must also include an explanation of what attendance options are and any services for which the student may be eligible. This notice must be posted in district school buildings and must be sent to district taxpayers and each political subdivision located in the boundaries of the school district.

The school board of any district with an underperforming school must adopt a policy regarding the availability of home visits by school personnel. The school board's policy may provide that the parent or guardian of a student enrolled in any school may be offered the opportunity to have at least one annual home visit and must offer an

opportunity for a meeting at the school or other mutually agreeable site.

**PROFESSIONAL DEVELOPMENT SPENDING AND FUND PLACEMENT REQUIREMENTS (Section 163.410)**

The bill specifies that school districts' compliance with the professional development funds spending requirement and the fund placement and expenditure requirements must be excused in fiscal years 2015 and 2016 if the funding formula is not fully funded or the appropriation for the transportation categorical is funded at a level less than 75% of the allowable costs and in the following fiscal year if the Governor withholds funds from the school foundation formula in fiscal years 2015 or 2016.

**HARDSHIP TRANSPORTATION ASSIGNMENTS (Section 167.121)**

The tuition amount that the sending district must pay to the receiving district when the Commissioner of Education reassigns a student because of a transportation hardship must be the lesser of the student's district of residence's current expenditure per average daily attendance for the previous school year and the receiving district's current expenditure per average daily attendance for the previous school year.

For any student residing in St. Louis City, Jackson County, St. Louis County, and any county adjoining to St. Louis County, it must be a rebuttable presumption that the student's residence is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance if the actual driving distance from the pupil's residence to the attendance center in his or her district of residence is at least 17 miles by the shortest route, the attendance center to which the pupil would be assigned is at least seven miles closer in actual driving distance than the attendance center in the district of residence, and the pupil's attendance will not cause the classroom in the receiving district to exceed the maximum number of students per class as determined by the receiving district.

**STUDENT TRANSFERS IN K-8 DISTRICTS (Section 167.131)**

Currently, the school board of a school district that does not maintain an accredited school is required to pay the tuition and provide transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. This provision currently applies to both unaccredited school districts and K-8 school districts that do not

offer high school grades. The provision is revised so that it only applies to K-8 school districts.

#### STUDENT RETENTION AND PROMOTION, READING INSTRUCTION, AND PERSONALIZED LEARNING PLANS (Sections 167.642 and 167.730)

Underperforming districts in St. Louis County, as described in the bill, are prohibited from promoting any student from the fifth grade to the sixth grade or from the eighth grade to the ninth grade who has not scored at the proficient level or above on the statewide assessments in the areas of English language arts and mathematics. However, this provision must not apply to any student with an individualized education program (IEP) or any student with a plan prepared under Section 504 of the Rehabilitation Act of 1973.

Beginning July 1, 2015, every public school in the St. Louis City School District and the Kansas City School District, including charter schools, must incorporate a response-to-intervention tiered approach to reading instruction for students determined by their school to need additional or changed instruction to make progress as readers. At a minimum, the reading levels of students in kindergarten through tenth grade must be assessed at the beginning and middle of the school year. Students who score below district benchmarks must be provided with intensive, systematic reading instruction.

Beginning January 1, 2015, and each January 1 thereafter, each public school in the St. Louis City School District and the Kansas City School District, including charter schools, must prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is working below grade level, with certain exceptions. For any student with a personalized learning plan, the student's main teacher must consult with the student's parent or guardian about the plan and must have the written consent of the parent or guardian to implement it. If a student is still performing below grade level through the end of the first grade year, the school must refer him or her for assessment to determine if an IEP is necessary. If an IEP is not necessary, the personalized learning plan must remain in place until the student is reading at grade level.

Any student who is not reading at the second grade level in the St. Louis City School District and the Kansas City School District by the end of second grade can be promoted to third grade only if the school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of summer school;

the school provides a "looping" classroom in which the student continues with the same teacher for multiple years but if the student is not reading at the third grade level by the end of third grade, the student must be retained; or the student's parents or guardians sign a notice that they prefer to have the student promoted. The school must have final determination on the issue of retention.

The St. Louis City School District, the Kansas City School District, and each charter school located in them must provide in its annual school accountability report card the numbers and percentages by grade from first grade to tenth grade of any students at any grade level who have been promoted but who have been determined as reading below grade level.

A school district or charter school may provide for an equivalent student promotion and retention program or a reading instruction program with the oversight and approval of the department.

#### SCHOOL DISTRICT IMPROVEMENT MEASURES (Sections 167.685 and 167.687)

Any unaccredited district must offer free tutoring and supplemental education services to underperforming and struggling students using moneys from the newly created School District Improvement Fund to the extent that the funds are available. A district may implement these services by contract with a public library for online tutoring services. An underperforming district may perform any or all of the following: implement a new curriculum, retain an outside expert to advise on regaining accreditation, enter into a contract with an education management organization with a demonstrated record of effectiveness, enter into a collaborative relationship and agreement with an accredited district in which teachers from both districts may exchange positions for two school weeks, or any other change allowed by law that the school board reasonably believes will result in improved performance for accreditation purposes.

#### STUDENT TRANSFERS FROM UNACCREDITED DISTRICTS (Sections 167.825 - 167.827)

For school year 2014-2015, students who participated in the transfer program that existed on July 1, 2013, must be allowed to participate under the same terms that governed the transfers in school year 2013-2014, except for the tuition amount. If an unaccredited district becomes provisionally accredited or accredited, any resident student who transferred must be permitted to continue his or her educational program through the completion of middle school, junior high school, or high school, whichever occurs first. However, the student must have previously attended a school in



the unaccredited district for at least one semester before initially transferring, unless the student was entering kindergarten or was a first grade student, and must continue to reside within the unaccredited district. A student who returns to his or her district of residence must be ineligible to transfer again. Any student who transferred from an unaccredited district to an accredited district in the same or an adjoining county in school year 2013-2014 but did not attend a public school for at least one semester in the unaccredited district prior to the transfer is no longer eligible to transfer in school year 2014-2015.

Any student who is enrolled in and has attended an unaccredited school in an unaccredited district for at least one semester may transfer to another accredited school in his or her district of residence that offers the student's grade level of enrollment. However, a transfer cannot result in a class size and assigned enrollment in the receiving school that exceeds the standards for class size and assigned enrollment under the Missouri School Improvement Program's resource standards. The school board of each unaccredited district must determine the capacity at each of the district's accredited schools. The district's school board is responsible for coordinating transfers from unaccredited schools to accredited schools within the district. The school board must annually report to the appropriate local education authority the number of available slots in accredited schools, the number of students who request to transfer within the district, and the number of transfer requests that are granted.

A student who is enrolled in and has attended an unaccredited school in an unaccredited district for at least one semester who is unable to transfer to another accredited school in his or her district of residence may apply to the appropriate education authority by March 1 to transfer to an accredited school in an accredited district in the same or an adjoining county or a nonsectarian private school in the district of residence. A student who is eligible to begin kindergarten or first grade at an unaccredited school in an unaccredited district may apply to the appropriate education authority for a transfer if he or she resides in the attendance area of an accredited school in an unaccredited district on March 1 preceding the school year of first attendance. A student who does not apply by March 1 is required to enroll and attend for one semester to become eligible. Any transfer student who does not maintain residence in the attendance zone of his or her unaccredited school in the unaccredited district will lose transfer eligibility. A student who withdraws from the transfer will also lose transfer eligibility.

An unaccredited or provisionally accredited district or school is not eligible to receive transfer students. However, a student who chooses to attend a provisionally accredited school in the unaccredited district must be allowed to do so if there is an available slot. A district or school with a three-year average score of 75% or lower on its annual performance report is not eligible to receive transfer students except for any student who was granted a transfer prior to the effective date of the bill.

A district that receives student transfers cannot be required to exceed the class size and assignment enrollment standards of its district-approved policy on class size; hire additional classroom teachers; or construct additional classrooms unless its board has approved the actions.

Each receiving district has the right to establish a policy for desirable class size and student-teacher ratios based on objective means and will not be required to accept any transfer students that would violate its policy. A policy may allow for estimated growth in the resident student population. A district that adopts a policy must do so annually by January 1. If a transfer student is denied admission based on a lack of space under the district's policy, the student or his or her parent or guardian may appeal the ruling to the state board. The state board may limit the district's policy if it finds the district's policy is unduly restrictive to student transfers. The state board's decision will be final.

Each receiving district must annually adopt a policy establishing a tuition rate by February 1. The rate of tuition to be paid by the sending district is the per-pupil cost of maintaining the receiving district's grade level grouping. However, a receiving district is prohibited from receiving tuition from a sending district that exceeds the receiving district's per pupil expenditure for its resident students. If any receiving district chooses to charge a rate of tuition that is 70% or less of the per-pupil cost of maintaining the sending district's grade level grouping, the statewide assessment scores and all other performance data for those students whom the district received must not be used for five school years when calculating the performance of the receiving district for purposes of the Missouri School Improvement Program.

The school board of a receiving district may choose to charge a rate of tuition less than the amount that would otherwise be calculated under the statutory calculation. If the receiving district chooses to charge a rate of tuition that is less than 90% of the rate that would otherwise be charged,

10% of the receiving district's tuition rate must be paid from the newly created Supplemental Tuition Fund.

Any district that received transfer students in the 2013-2014 school year may adjust the tuition paid by the sending district to 70% of the per-pupil cost of maintaining the sending district's grade level grouping. If a district adjusts its tuition rate, the statewide assessment scores and performance data for the transfer students must not be used for five school years when calculating the receiving district's performance for purposes of the Missouri School Improvement Program.

If an unaccredited district becomes provisionally accredited or accredited, any resident student who transferred to an accredited district or to a nonsectarian private school must be permitted to continue his or her educational program through the completion of middle school, junior high school, or high school, whichever occurs first.

A student's district of residence may provide transportation for the student to attend another accredited district but must not be required to do so.

When the costs associated with the provision of special education and related services to a student with a disability exceed the established tuition amount, the unaccredited district must remain responsible for paying the excess costs to the receiving district. When the receiving district is a component district of a special school district, the unaccredited district must contract with the special school district for the entirety of the costs to provide special education and related services, excluding transportation. The special school district may contract with an unaccredited district for the provision of transportation. A special school district must continue to provide special education and related services, with the exception of transportation, to a student with a disability transferring from an unaccredited district within the same or a different component district. When the St. Louis City School District is declared unaccredited, it must remain responsible for the provision of special education and related services, including transportation, to students with disabilities. A special school district may contract with the St. Louis City School District. Regardless of whether transportation is identified as a related service within a student's IEP, a receiving district that is not part of a special school district must not be responsible for providing transportation. An unaccredited district may contract with a receiving district that is not part of a special school district for transportation. When a district other than St. Louis City is declared unaccredited, it may contract with a receiving district that is not part of a special school

district for the reimbursement of special education and related services.

By August 1, 2014, and by January 1 annually, each accredited district in the same or an adjoining county to an unaccredited district must report to the education authority for the county in which the unaccredited district is located the number of its available enrollment slots by grade level. Each unaccredited district must report the number of available enrollment slots in the district's accredited schools. Each nonsectarian private school in an unaccredited district that wishes to participate in the transfer program must provide the required information by the same date. Each education authority with an unaccredited district in its geographic area must make information and assistance available to parents who intend to transfer their child to an accredited district or to a nonsectarian private school. A parent or guardian who intends to transfer his or her child must send initial notification to the appropriate education authority by March 1 for enrollment in the subsequent school year. The education authority must assign the transfer student to an accredited district in the same or an adjoining county or a nonsectarian private school. The education authority must give first priority to a student who lives in the same household with any family member within the first or second degree of consanguinity or affinity who already attends an accredited school and who applies to attend the same accredited school. If insufficient enrollment slots are available for a student to transfer, that student must receive first priority the following school year. The authority must only disrupt student and parent choice for transfer if a receiving district's available slots are requested by more students than there are slots available. The authority must consider the following factors in assigning schools: the student's or parent's choice of the receiving school, the best interests of the student, and distance and travel time. The authority must not consider student academic performance, student free and reduced lunch status, or athletics. An education authority may deny a transfer to a student who in the most recent school year has been suspended from school two or more times or has been suspended for an act of school violence.

#### STUDENT TRANSFERS TO NONSECTARIAN PRIVATE SCHOOLS (Section 167.828)

In St. Louis City, St. Louis County, and Jackson County, the school board of an unaccredited district that operates an unaccredited school must pay tuition for any student who has enrolled in and attended an unaccredited school in the district for one semester to attend a nonsectarian private

school located in the district using funds from the district's operating levy for school purposes. The tuition amount cannot exceed the lesser of the nonsectarian private school's tuition or 70% of the unaccredited district's cost of maintaining a grade level grouping.

A nonsectarian private school will only qualify to receive tuition payments under these provisions if it is accredited by the North Central Association Commission On Accreditation and School Improvement or demonstrates similar academic quality credentials to the Department of Elementary and Secondary Education, administers or allows for the administration of the statewide assessments in English language arts and mathematics for transfer students, complies with all health and safety laws or codes that apply to nonpublic schools, holds a valid occupancy permit if required by its municipality, certifies that it will not discriminate in admissions as specified in the bill, and files a statement of intent to accept transfer students with the department. Private nonsectarian schools that choose to receive transfer students must adhere to specified provisions of Missouri state school law. Any participating nonsectarian private school must provide data to the department for the production of an annual performance report. When the total enrollment of a nonsectarian private school consists of 25% transfer students, the school must conform to the performance standards of the Missouri School Improvement Program to continue its eligibility for the program. The district of residence may provide transportation but is not required to do so. An unaccredited district must use funds from the operating levy for school purposes to pay the tuition for students who attend a nonsectarian private school.

The option for a student to enroll in and attend a nonsectarian private school must be authorized by the school district's voters at a general election as described in the bill. A majority vote is required for authorization. Regardless of whether the voters authorize the private school option, students may transfer to a private school if a district remains classified as unaccredited for three consecutive years of the district being unaccredited. Where costs associated with the provision of special education and related services to a student with a disability exceed the established tuition amount, the unaccredited district must remain responsible to pay the excess cost to the nonsectarian private school.

#### REGIONAL EDUCATION AUTHORITIES (Sections 167.830 - 167.845)

Three separate regional education authorities are created to coordinate student transfers from

unaccredited districts to accredited districts, one for St. Louis City, St. Louis County, and adjoining counties; a second authority for the Kansas City area, consisting of Jackson County and adjoining counties; and a third authority for the rest of the state. Each authority will consist of five members, as specified in the bill, appointed by the Governor with the advice and consent of the Senate, who will serve for a term of six years. The authority must coordinate and collaborate with local districts and local governments for the student transfers. Parents who want to transfer their child to another district must notify the appropriate regional education authority by March 1. The education authority will assign students to districts using the admissions process specified in the bill.

#### SHARING OF SUPERINTENDENTS (Section 168.205)

Two or more school districts may share a superintendent who possesses a valid Missouri superintendent's license without seeking approval from the Department of Elementary and Secondary Education.

#### ON-LINE TUTORING SERVICES THROUGH A PUBLIC LIBRARY (Section 170.215)

A school district may enter into a contract with a public library to provide on-line tutoring services through a third-party vendor or a nonprofit organization for the district's students. Tutoring services must be conducted through any compatible computer to participating students who have a library card, both within and without the library facility. Tutoring services may include assistance with homework, collaboration and study tools in various school subjects, access to writing assistance productivity software, and test preparation tools. A contract may allow dedicated access to assistance during specified hours of the day and specified days of the week. A contract may allow students to submit questions to tutors or join on-line study groups. On-line tutoring services must be designed and implemented to protect student privacy, prohibit voice communication between the parties, and prohibit face-to-face visual communication. An employee of any third-party vendor or nonprofit organization with which a public library has contracted for the tutoring services must not solicit personally identifiable information from any participating student. Each school district offering tutoring services must maintain an archive of all communications between students and tutors for two years that must be accessible to district officials and tutoring supervisors.

**PARENT PORTAL FUND (Section 170.320)**

The Parent Portal Fund is created to assist districts in establishing and maintaining a parent portal so parents may have access to educational information and student data by mobile technology.

**SCHOOL PROPERTY AGREEMENTS (Sections 177.011 and 177.088)**

Currently, a school board cannot lease or rent a building to be used for school purposes while the district school is unoccupied. The bill allows an exception for lease agreements entered into under the provisions of Section 177.088, regarding agreements with not-for-profit corporations.

Currently, a school district board, community college board, or college or university board for an institution organized under Chapter 174 may enter into an agreement with a not-for-profit corporation to acquire, construct, improve, extend, repair, remodel, or finance sites, buildings, facilities, furnishings, and equipment for the use of the institution for educational purposes. The bill repeals the requirement that it be a not-for-profit corporation and repeals the provision allowing the governing board of an educational institution to refinance any lease purchase agreement if it satisfies at least one of the specified conditions for the purpose of payment on any lease with a corporation for sites, buildings, facilities, furnishings, or equipment which the corporation has acquired or constructed.

**CHILDREN'S SERVICES FUND (Section 210.861)**

In fiscal years 2015 and 2016, in St. Louis County, up to 5% of the fiscal year's revenues in the Children's Services Fund must be devoted to a grant program to deliver services directly to schools in unaccredited or provisionally accredited districts. The board of directors of the fund must undertake a needs assessment for any of these school districts within 90 days after receiving notification. The needs assessment must be used as a basis for the contracting of mental health wraparound services. The board must appoint one of its members to a direct school service coordinating committee. Additional members of the direct service coordinating committee must include a social worker appointed by the board, two parents of students as specified in the bill appointed by the school board of each affected district, the superintendent of each affected district, and a school service staff member appointed by the school board of each affected district. The committee must provide recommendations and oversight to the program of contracted services. Any moneys distributed from the fund is subject to an annual audit. These provisions will terminate on June 30, 2016.

**SCHOOL TRANSFER AND IMPROVEMENT TASK FORCE (Section 1)**

The School Transfer and Improvement Task Force is established within the Department of Elementary and Secondary Education to study the means to address failing schools, including the creation of a school improvement district; developing options for school transfer finance formulas; best practices for how to design and finance public virtual and blended schools; and best practices and possible pilot projects to assist transient students. The task force will consist of the following members:

(1) Three members of the Senate, appointed by the President Pro Tem, of whom not more than two can be of the same party;

(2) One member from an education policy research organization in Missouri, appointed by the President Pro Tem of the Senate;

(3) Three members of the House of Representatives, appointed by the Speaker, of whom not more than two can be of the same party;

(4) One member from a statewide business association, appointed by the Speaker of the House of Representatives;

(5) The Commissioner of Education, or his or her designee;

(6) One member from an education organization consisting exclusively of elected officials, appointed by the Commissioner of Education; and

(7) The Lieutenant Governor, or his or her designee.

The task force must make recommendations by February 1, 2015, to the General Assembly. These provisions will expire on April 31, 2015.

The bill contains an emergency clause.

**SB 500 -- WILLS AND TRUSTS**

This bill specifies that any property or interest in property held by a husband and wife as tenants by the entirety or as joint tenants or another form of joint ownership with right of survivorship must be deemed to be held as tenants by the entirety upon its transfer to a qualified spousal trust. The bill specifies that a provision in a trust instrument requiring mediation or arbitration of disputes among specified individuals is enforceable. However, a provision in a trust agreement requiring the mediation or arbitration of disputes relating to the validity of a trust is not enforceable unless all interested persons consent to the mediation or arbitration.

Currently, a no-contest clause in a will or trust is enforceable, which generally means that a

beneficiary forfeits interest in the will or trust property if he or she contests the trust or will. The bill specifies that if a trust instrument containing a no-contest clause is or has become irrevocable, as defined in the bill, an interested person may file a petition with a court for a ruling on whether a particular claim for relief would trigger application of the no-contest clause or trigger a forfeiture that is enforceable under applicable law and public policy. The petition for the ruling must be verified under oath and may be filed as a separate judicial proceeding or along with other claims for relief in a single proceeding. The bill specifies that when ruling on the petition, the court must consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. The court must not accept evidence beyond the pleadings and the trust instrument except as required to resolve an ambiguity in the no-contest clause.

An order or judgment on the application of a no-contest clause must be subject to appeal as with other final judgments. Following the ruling, if claims are subsequently filed that are materially different than those upon which the no-contest clause order or judgment is based, the party in whose favor the order or judgment was entered must have no protection from enforcement of the no-contest clause provided under these provisions to the extent the new claims are raised.

The bill specifies the types of circumstances in which a no-contest clause is not enforceable, including filing a claim objecting to the jurisdiction or venue of the court or filing a claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee. In these situations, the court may award attorney fees and costs to any party.

If a will contains a no-contest clause, an interested person may file a petition with the court for a determination whether a particular claim for relief would trigger application of the no-contest clause or trigger a forfeiture that is enforceable under applicable law and public policy.

#### **HCS SB 504 -- ELECTRONIC POSTING OF PROPOSED RULES BY STATE AGENCIES**

This bill requires a state agency to make proposed rules available to the public by providing a link on its official website to the web page that contains the text of the proposed rule as filed, a fiscal note and summary for the proposed rule, as well as a direct link to the rule and material incorporated by reference in the Missouri Register. This information must be made available on the website within one

business day of the publication of the proposed rule in the Missouri Register.

#### **HCS SB 506 -- AGRICULTURE**

*(Vetoed by the Governor)*

This bill changes the laws regarding agriculture.

**DESIGNATION OF CAPTIVE CERVIDS AS LIVESTOCK** (Sections 144.010, 262.900, 265.300, 267.565, and 277.020, RSMo)

The bill adds captive cervids to the definition of "livestock" for the purposes of the state sales and use tax laws, urban agricultural zones, meat inspection laws, the Missouri Livestock Disease Control and Eradication Law, and the Missouri Livestock Marketing Law.

**MISSOURI DAIRY REVITALIZATION ACT OF 2014** (Sections 261.270 - 261.275)

The Missouri Dairy Revitalization Act of 2014 is established that:

(1) Creates the Missouri Dairy Industry Revitalization Fund and requires moneys in the fund, upon appropriation, to be used solely to enhance and improve Missouri's dairy and dairy processing industries as specified in the bill;

(2) Requires, each fiscal year, the University of Missouri to conduct or contract with an independent research company to conduct research to determine the estimated sales tax revenue generated in the state from the sales of dairy products and to provide the estimate to the Department of Agriculture by October 1 of each year;

(3) Specifies that no more than 40% of the estimated sales tax revenue generated from the sales of dairy products during the preceding fiscal year may be appropriated from the General Revenue Fund to the Missouri Dairy Industry Revitalization Fund and must be expended in the following order of priority:

(a) To the newly established Dairy Producer Margin Insurance Premium Assistance Program;

(b) To the newly established Missouri Dairy Scholars Program; and

(c) To the newly established Commercial Agriculture Program;

(4) Requires the department to establish and administer, through the Missouri Agricultural and Small Business Development Authority (MASBDA), a dairy producer margin insurance premium assistance program for the purpose of assisting dairy producers who participate in the federal margin protection program in the federal Agricultural Act of 2014;

(5) Specifies that all dairy producers who participate in the federal margin protection program must be eligible to apply to participate in the dairy producer margin insurance premium assistance program and requires a producer to apply with MASBDA by January 1 of each year;

(6) Specifies that a participating dairy producer who has paid his or her annual federal premium payment and provides proof of the payment to MASBDA must be eligible to receive 70% of his or her federal premium payment up to a maximum premium reimbursement rate of \$.34 per hundredweight of milk;

(7) Requires the University of Missouri and MASBDA to provide risk management training for Missouri dairy producers annually;

(8) Establishes the Missouri Dairy Scholars Program, administered by the department, to annually make available, subject to appropriation, up to 80 scholarships in an amount of \$5,000 each to eligible students in an agriculture-related degree program in a Missouri college or university who make a commitment to work in Missouri's agriculture industry as specified in the bill; and

(9) Requires the University of Missouri's Commercial Agriculture Program to conduct an annual study of the dairy industry, develop a dairy-specific plan for how to grow and enhance the dairy and dairy processing industries in Missouri, and report the results of the study to the department and all agriculture-related legislative committee chairpersons by January 1 of each year. The costs for the study must be subject to appropriations and paid out of the Missouri Dairy Industry Revitalization Fund.

#### **BEEF COMMODITY MERCHANDISING PROGRAM (Section 275.352)**

The bill repeals the provision that prohibits the state from collecting fees under the Beef Commodity Merchandising Program in excess of the amount credited against the obligation to pay any federal assessments.

#### **MISSOURI LIVESTOCK MARKETING LAW (Section 277.040)**

The bill specifies that all license fees collected under the Missouri Livestock Marketing Law cannot yield revenue greater than the total cost of administering the law during the ensuing year.

#### **CERTIFIED COMMERCIAL PESTICIDE APPLICATORS (Section 281.065)**

Currently, a certified commercial pesticide applicator must furnish evidence of financial responsibility with the Director of the Department

of Agriculture in order to receive a license. The bill removes the requirement to furnish the evidence for license renewal unless upon request of the department. Annual renewals for surety bonds or liability insurance must be maintained at the business location from which the applicator is licensed. If the department director so requests in writing, the applicator must furnish a copy of the bond or certificate within 10 working days of receiving the request. The amount of the required bond or insurance is increased from not less than \$25,000 to not less than \$50,000 for each occurrence. The applicator must immediately notify the department director of the cancellation or reduction of financial responsibility for any applicator or employer of the applicator. The applicator or applicator's employer must maintain the bond or insurance certificate at the business location from which the applicator is licensed. If the financial responsibility furnished becomes unsatisfactory, new financial responsibility instruments must be immediately executed and maintained at the business location.

#### **VEHICLES HAULING LIVESTOCK AND AGRICULTURAL PRODUCTS (Section 304.180)**

The bill repeals the provisions prohibiting the total gross weight of any vehicle or combination of vehicles hauling livestock from exceeding 85,500 pounds while operating on specified state highways with the exception of vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways and specifies that the total gross weight of any vehicle or combination of vehicles hauling livestock or agricultural products, not including local log trucks, or hauling milk from a farm to a processing facility cannot exceed 85,500 pounds while operating on highways other than the interstate highway system with the specified exception.

#### **LARGE ANIMAL VETERINARY STUDENT LOAN PROGRAM (Sections 340.381 and 340.396)**

The bill renames the Large Animal Veterinarian Student Loan Program as the Dr. Merrill Townley Large Animal Veterinary Student Loan Program and repeals the expiration date of the provisions regarding the program.

#### **FOREIGN OWNERSHIP OF AGRICULTURAL LAND (Section 442.571)**

Currently, the sale, transfer, or acquisition of any agricultural land by an alien or foreign business must be approved by the Director of the Department of Agriculture. The bill requires a sale or transfer of agricultural land by an alien or foreign business to be submitted to the department director for review only if there is no completed Internal Revenue Service Form W-9 signed by the purchaser. Any security

interest in the agricultural land held by a person as an agent, trustee, or other fiduciary for an alien or foreign business cannot be divested or invalidated by a violation of specified provisions regarding aliens and corporations of foreign countries acquiring and holding real estate.

#### LIABILITY FOR LIVESTOCK ACTIVITIES (Section 537.325)

Currently, an equine activity sponsor or an equine professional have limited liability for injuries or death from accidents resulting from the inherent risks of equine activities. The bill expands the limited liability to include a livestock activity sponsor, a livestock owner, a livestock facility, and a livestock auction market for injuries or death of a participant resulting from the inherent risks of livestock activities with the exception of specified circumstances.

Livestock activities include grazing, herding, feeding, branding, milking, or other activities that involve the care and maintenance of livestock; a livestock show, fair, competition, or auction; a livestock training or teaching activity; boarding livestock; and inspecting or evaluating livestock.

Currently, equine activity sponsors must post a warning sign on or near specified areas where equine activities are conducted. The bill requires the warning sign to also be posted where livestock activities are conducted.

#### LABELING OF MOTOR FUEL PUMPS (Section 1)

The bill requires the Department of Agriculture to propose a rule regarding renewable fuels and the labeling of motor fuel pumps by January 1, 2015.

### HCS SB 508 -- HEALTH INSURANCE

*(Vetoed by the Governor)*

This bill changes the laws regarding health insurance.

#### CRIMINAL HISTORY RECORD FEE (Section 43.530, RSMo)

The bill requires the Department of Public Safety to charge a fee of \$14 to the Department of Insurance, Financial Institutions and Professional Registration for each criminal history record requested on a health insurance navigator license applicant.

#### STATE LEGAL EXPENSE FUND (Section 105.711)

Currently, for the purposes of the State Legal Expense Fund a “free health clinic” means a nonprofit community health center exempt from federal taxation that provides primary care and preventative services to people without health insurance without charge. The bill changes the term “free health clinic” to “community health clinic”

and removes the without charge requirement. The bill excludes specified federally funded community health centers and rural health clinics from the organizations that are eligible to receive payment of a claim from the fund.

#### STATE CHILDREN'S HEALTH INSURANCE PROGRAM (Sections 208.631 - 208.646)

The bill removes references to the Uninsured Women's Health Program in the provisions regarding the State Children's Health Insurance Program (SCHIP).

Currently, the provisions regarding SCHIP define “uninsured children” as persons up to 19 years of age who meet specified criteria or persons whose parent or guardian have not had access to affordable health care coverage for their children for six months prior to application for the program. The bill removes the requirement that the parent or guardian has not had access to coverage for six months prior to application. The bill changes the eligibility requirements for SCHIP by removing the requirement that the parent or guardian demonstrate annually that their total net worth does not exceed \$250,000 in total value. The bill changes, from six months to 90 days, the time that a child must be ineligible for SCHIP coverage after notification from the department when his or her parent or guardian with an income of more than 250% of the federal poverty level fails to pay the required co-payment or premium.

#### HEALTH INSURANCE MANDATE EXEMPTION (Section 376.998)

The bill prohibits any health insurance mandate that is applicable to health benefit plans written by a health carrier from applying to excepted benefit plans. For purposes of the exemption under these provisions, a “health insurance mandate” means a state requirement for a health carrier to offer or provide coverage for:

- (1) A treatment by a particular type of health care provider;
- (2) A certain treatment or service, including procedures, medical equipment, or drugs that are used in connection with a treatment or service; and
- (3) Screening, diagnosis, or treatment of a particular disease or condition.

The bill requires all excepted benefit plans issued on or after January 1, 2015, to include a disclaimer printed in no less than 12-point font on the front of the policy, certificate, application and enrollment form, and all advertising materials which states:

“NOTICE TO CONSUMER: THIS PLAN IS NOT CONSIDERED “MINIMUM ESSENTIAL

COVERAGE” AND IS NOT A SUBSTITUTE FOR MAJOR MEDICAL INSURANCE. THIS PLAN HAS LIMITS AND EXCLUSIONS AND MAY NOT COVER ALL HEALTH BENEFITS OR SERVICES.”

If plan identification cards are issued to enrollees of excepted benefit plans, the cards must clearly and conspicuously state on the front of the card: “THIS IS NOT MINIMUM ESSENTIAL COVERAGE.”

These provisions apply to all insurers that provide coverage to residents of this state that is issued or renewed on or after January 1, 2015.

#### HEALTH INSURANCE EXCHANGE NAVIGATORS (Section 376.2004)

An applicant for a health insurance exchange navigator license must take an examination created and administered by the Director of the Department of Insurance, Financial Institutions and Professional Registration. The department may contract with an independent testing service to administer the examination. An applicant cannot satisfy the examination requirement by demonstrating achievement of a passing score on any certification examination in lieu of the examination administered by the department. Each applicant for a navigator license must submit two full sets of fingerprints to the State Highway Patrol for the purpose of obtaining a Missouri and federal criminal records check. The bill prohibits the department from issuing a license if the applicant has been convicted of a felony offense or a misdemeanor offense involving fraud or dishonesty.

#### SS#3 SCS SBs 509 & 496 -- INCOME TAXES

*(Vetoed by the Governor -- Overridden by the General Assembly)*

This bill changes the laws regarding income taxes. In its main provisions, the bill:

(1) Modifies the individual income tax rate table. Beginning with the 2017 tax year, the maximum tax rate on personal income will be reduced by .1% once a year if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of revenue collected in any of the three fiscal years prior to the fiscal year by at least \$150 million. The maximum tax rate cannot be reduced below 5.5%;

(2) Requires the individual income tax rate brackets to be adjusted annually for inflation as measured by the federal Consumer Price Index, beginning with the 2017 tax year;

(3) Authorizes an individual income tax deduction for business income, beginning January 1, 2017, and phases it in, in 5% increments, over a period of years. However, the deduction can only occur if

the net general revenue collected in the previous fiscal year exceeds those collected in any of the three fiscal years prior to the fiscal year by at least \$150 million. A taxpayer will be allowed to deduct 5% of business income for the first tax year the income growth is met. The maximum that may be deducted is 25% of business income. A shareholder of a S-corporation and a partner in a partnership will be allowed a proportional deduction based on his or her share of ownership; and

(4) Authorizes, beginning January 1, 2017, an additional personal exemption of \$500 for every individual with a Missouri adjusted gross income of less than \$20,000. Currently, the personal exemption for individual income tax is \$2,100.

#### SS SCS SB 510 -- DISQUALIFICATION FROM UNEMPLOYMENT BENEFITS

This bill changes the laws regarding unemployment benefits. The definition of “misconduct,” as it relates to employee disqualification from unemployment benefits, is revised to conduct or failure to act in a manner that is connected to work, regardless of whether the conduct or failure to act occurs at the workplace or during work hours.

Currently, misconduct includes an act of wanton or willful disregard of the employer’s interest; a deliberate violation of the employer’s rules; a disregard of standards of behavior that the employer has the right to expect; or negligence in a degree or recurrence as to manifest culpability, wrongful intent, or evil design or show an intentional and substantial disregard of the employer’s interest or of the employee’s duties and obligations to the employer. The bill changes it to:

(1) Conduct or a failure to act demonstrating knowing disregard of the employer’s interest or a knowing violation of the standards that the employer expects;

(2) Conduct or a failure to act demonstrating carelessness or negligence in such degree or recurrence as to manifest culpability, wrongful intent, or a knowing disregard of the employer’s interest or the employee’s duties and obligations to the employer;

(3) A violation of an employer’s no-call, no-show policy; chronic absenteeism or tardiness in violation of a known employer policy; or two or more unapproved absences following a written reprimand or warning unless the absences are protected by law;

(4) A knowing violation of a state standard or regulation by an employee that would cause a licensed or certified employer to be sanctioned



or have its license or certification suspended or revoked; or

(5) A violation of an employer's rule unless the employee can demonstrate that he or she did not know and could not reasonably know of the rule's requirements, the rule is not lawful, or the rule is not fairly or consistently enforced.

Currently, an employee is disqualified from benefits if he or she voluntarily leaves work without good cause attributable to the work or the employer. The bill specifies that "good cause" includes only a cause that would compel a reasonable employee to cease working or would require separation from work due to illness or disability.

The provision specifying that absenteeism or tardiness may constitute a rebuttable presumption of misconduct as it relates to employee disqualification for waiting week credit or benefits if the discharge was the result of a violation of a known attendance policy of the employer is repealed.

#### **SB 523 -- RADIO FREQUENCY IDENTIFICATION**

*(Vetoed by the Governor)*

This bill prohibits a school district from requiring a student to use an identification device that uses radio frequency identification technology to identify the student, transmit information regarding the student, or monitor or track the location of the student.

#### **HCS SS SB 525 -- FOOD SAFETY**

This bill allows a nonprofit organization to prepare food in a private home or other area for distribution to the end consumer at a charitable fundraising event.

The nonprofit organization may inform the consumer by placing a clearly visible placard at the serving location that the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority.

The nonprofit organization may notify the regulatory authority in writing or via electronic mail prior to the beginning of the event. If made, the notification must include the name of the nonprofit organization; date, time, and location of the event; and the name and contact information of the person responsible for the event.

The bill does not apply to a food establishment that is regulated by the Department of Health and Senior Services that provides food for the event.

These provisions must not apply to the counties of Boone, Clay, Jackson, Jefferson, St. Charles, and St. Louis and to Kansas City and the City of St.

Louis.

The bill specifies that a cottage food production operation, which is defined as an individual operation out of the individual's home producing a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the individual's home; having an annual gross income of \$50,000 or less from the sale of the food; and selling the food only directly to consumers. A cottage food production operation is not a food service establishment and cannot be subject to any other state or local food code laws or regulations. The department is required to establish rules requiring a cottage food production operation to label all foods intended for sale with the name and address of the operation and a statement that the food is not inspected by the department or a local health department. An operation cannot sell cottage foods through the Internet.

These provisions cannot be construed to prohibit the authority of the department or a local health department to conduct an investigation of a foodborne disease or outbreak.

#### **SB 527 -- MEDICAL RADIATION SAFETY AWARENESS**

This bill designates March 27 of each year as "Medical Radiation Safety Awareness Day" in Missouri. Citizens and the health care professionals community of this state are encouraged to be aware of not only the benefits of radiographic medical procedures but the potential dangers of overexposure to radiation during diagnostic imaging and radiation therapy.

#### **SCS SB 529 -- PUBLIC WORKS CONTRACTS AND PROJECTS**

This bill changes the laws regarding public works contracts and public works projects.

Currently, a public works project contract made by a political subdivision for a public works project must provide prompt payment to the contractor and progress payments on a monthly or lump sum basis according to the terms of the contract. The bill requires prompt payment and progress payments to also be provided to the professional engineers, architects, landscape architects, and land surveyors.

Currently, a public owner may retain 5% of the value of a public works contract or up to 10% if it is determined by the public owner and the architect or engineer that a higher rate is required to ensure performance. The bill specifies that a public owner may retain up to 10% if the contractor is not required to obtain a bond because the contract is not estimated to exceed \$50,000.

Currently, retainage may be adjusted prior to completion when work is proceeding satisfactorily and retainage is paid after substantial completion of the contract or per contract terms. In these cases, 200% of the value of the remaining work must be withheld until completion. The bill specifies that 150% of the value must be withheld until completion.

Currently, the public owner must pay the retainage after substantial completion of the work or as provided per contract to the contractor for state highway road or bridge projects administered by the State Highways and Transportation Commission. The bill requires the owner to pay at least 98% of the retainage to the contractor and the contractor to pay subcontractors and suppliers after substantial completion or as provided in the contract.

If the owner determines that the work is not substantially completed, the owner must provide a written explanation within 14 days to the contractor. The contractor is then required to provide the notice to any subcontractor or suppliers responsible. If the explanation is not given by the public body, the public body must pay at least 98% of the retainage within 30 days.

Currently, a contractor must pay a subcontractor or supplier when he or she receives payment less any retention not to exceed 10%. The bill lowers the retention to not more than 5%.

Currently, when the public owner does not release full payment due because there are specific areas of work or materials the owner is rejecting, the subcontractors or suppliers involved are not paid for the rejected work. The bill specifies that the subcontractors or suppliers do not have to be paid if the owner gives a written explanation as to why the work or supplies were rejected.

The public owner must include any withheld retainage with final payment of moneys owed to the contractor within 30 days of the due date. The public owner must pay any professional engineer, architect, landscape architect, or land surveyor the amount due within 30 days after receiving an invoice. If full payment is not made, the contracting agency must pay 1.5% interest per month until fully paid.

Currently, public owners must require contractors on public works projects to furnish a bond when the estimated cost of the project exceeds \$25,000. The bill changes that amount to \$50,000.

#### **HCS SCS SB 530 -- TERMINATION OF PARENTAL RIGHTS**

This bill changes the laws regarding the termination of parental rights under which a parent

is presumed unfit to be a party to the parent and child relationship upon a showing in juvenile court of a consistent pattern of committing a specific abuse by adding the following circumstances:

(1) If, within eight hours after a child's birth, the child's birth mother has tested positive and over .08 blood content for alcohol or tested positive for cocaine, heroin, methamphetamine, a controlled substance as defined in Section 195.010, RSMo, or a prescription drug as defined in Section 196.973, except those controlled substances or prescription drugs present in the mother's body as a result of medical treatment administered to the mother, and the birth mother is the biological mother of at least one other child who was adjudicated an abused or neglected minor by the mother or the mother has previously failed to complete recommended treatment services by the Children's Division within the Department of Social Services through a family-centered services case;

(2) If, at the time of the child's birth or within eight hours after a child's birth, the child tested positive for alcohol cocaine, heroin, methamphetamine, a controlled substance as defined in Section 195.010 or a prescription drug as defined in Section 196.973, except those controlled substances or prescription drugs present in the mother's body as a result of medical treatment administered to the mother, and the birth mother is the biological mother of at least one other child who was adjudicated an abused or neglected minor by the mother or the mother has previously failed to complete recommended treatment services by the division through a family-centered services case; or

(3) If, within a three-year period immediately prior to termination adjudication, the parent has pled guilty to or has been convicted of a felony involving the possession, distribution, or manufacture of cocaine, heroin, or methamphetamine and the parent is the biological parent of at least one other child who was adjudicated an abused or neglected minor by that parent or the parent has previously failed to complete recommended treatment services by the division through a family-centered services case.

#### **SS SCS SB 532 -- EDUCATIONAL AND MEDICAL CONSENT**

This bill changes the laws regarding consent provided by relative caregivers.

The bill repeals the current provisions regarding a person's consent for the immunization of a child and allows a relative caregiver acting under an affidavit to consent to medical treatment and for educational services for a minor child with whom the caregiver

lives if the consent of the legal parent or guardian cannot be obtained through reasonable efforts. A parent may also delegate in writing his or her authority to consent to the treatment or services to the relative caregiver.

“Relative caregiver” is defined as a competent adult who is related by blood, marriage, or adoption who is not the parent and who represents in the affidavit that the child lives with the adult and that the adult is responsible for the care of the child. “Educational services” is defined as enrollment of a child in a school to which the child has been or will be accepted for attendance and participation in any school activities, including extracurricular activities.

If a child stops living with the relative caregiver, the caregiver must immediately notify any health care provider or school that has been given the affidavit, and the affidavit is immediately invalid.

These provisions do not relieve a parent of liability for the payment of the treatment or services and must not be construed to create a cause of action against a relative caregiver who has complied with these provisions.

The bill specifies the required information that must be contained in the affidavit and that the affidavit must expire after one year.

### **HCS SCS SB 567 -- PUBLIC HEALTH**

This bill changes the laws regarding public health.

Currently, an institution of higher education must require all students residing in on-campus housing to sign a written waiver stating that the institution has provided the student or, if the student is a minor, his or her guardian or parent with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of the meningococcal vaccine. The bill repeals that requirement and requires all students residing in on-campus housing to have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution’s administration. A medical exemption requires a signed certification by a physician licensed to practice in Missouri indicating that the immunization would seriously endanger the student’s health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student must be exempted from the requirement if he or she objects in writing to the institution’s administration that immunization violates his or her religious beliefs.

Beginning July 1, 2015, the Department of Health and Senior Services must provide a courier service

to transport collected, donated umbilical cord blood samples to a nonprofit umbilical cord blood bank located in St. Louis City in existence as of the effective date of the bill. The collection sites must only be those facilities designated and trained by the blood bank in the collection and handling of umbilical cord blood specimens.

The bill requires each hospital licensed under Chapter 197, RSMo, to offer, prior to discharge and with the approval of the attending physician or other practitioner authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols pursuant to state hospital regulations, immunizations against influenza virus to all inpatients 65 years of age or older between October 1 and March 1 of each year in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention unless contraindicated for the patient and contingent upon the availability of the vaccine.

The bill makes technical changes and transfers the powers, duties, and responsibilities regarding the licensing and regulation of adult day care institutions from the Division of Aging within the Department of Social Services to the Department of Health and Senior Services due to the elimination of the division under gubernatorial reorganization.

The bill requires the Department of Health and Senior Services to create an adult day care program manual in partnership with the provider association to establish uniformity across the state and to offer regional training sessions in order to provide technical assistance or consultation to assist applicants for or holders of licenses in meeting the requirements of staff qualifications and other aspects involving the operation of an adult day care program. The program manual and regional training sessions must be made available to adult day care programs by January 1, 2015.

The bill changes the laws regarding the standard practices, inspections, disciplinary actions, informal dispute resolutions, license revocations, and operational manuals relating to adult day programs that are to be provided on the department’s website.

The department may contract with an independent third party to conduct informal dispute resolution (IDR) for programs licensed under Chapter 660. The IDR process, including conferences, must constitute an informal administrative process, must not be construed to be a formal evidentiary hearing, and must not waive the program’s right to pursue further or additional legal actions.

The department must establish an IDR process to determine whether a cited deficiency as evidenced by a statement of deficiencies against a program must be upheld. The minimum requirements for the process are specified in the bill.

A licensed adult day care program must evaluate the program rate structure in Fiscal Year 2015 and determine a cost-based uniform rate for services to be presented as a budget line item in the Department of Health and Senior Services Fiscal Year 2016 budget request for adult day care programs which provide care, treatment rehabilitation, and habilitation exclusively to adults and seniors with physical disabilities or mental, neurological, and cognitive disorders such as brain injuries, dementia, and other intellectual impairments, excluding the cost for individuals already funded by a Department of Mental Health waiver.

#### **HCS SS SB 575 -- BOARDS, COMMISSIONS, AND COMMITTEES**

##### ***(Vetoed by the Governor)***

This bill changes the laws regarding boards, commissions, and committees.

Currently, the membership of the Joint Committee on Transportation Oversight includes seven members from the standing transportation committees of both the House of Representatives and Senate. The bill specifies that the committee must be composed of seven Senators with at least four being members of the standing Transportation Committee of the Senate and seven members of the House of Representatives with at least four being members of the standing Transportation Committee of the House of Representatives. The selection of the chair and vice chair of the committee is specified in the bill (Section 21.795, RSMo).

The bill renames the Joint Committee on Government Accountability as the Joint Committee on Oversight and Government Accountability. The committee must analyze the operations and performance of all branches of state government, including the management of state programs; procurement of goods and services by state agencies; leases of real property funded with state moneys; and all construction, repairs, and maintenance on any state-funded capital improvements project excluding specified projects. The committee must make recommendations to the General Assembly for legislative action to reorganize state government; improve performance; promote efficiency and economy; and prevent or detect waste, fraud, or abuse. The committee must review specified state departments and statewide office holders according to a schedule specified in the bill (Section 21.820).

The Joint Committee on the Justice System is established consisting of members of the General Assembly and three ex-officio members as specified in the bill, including a member of the House of Representatives and the Senate appointed by the Minority Floor Leader of each chamber. The committee must review and monitor all aspects of the state's justice system as specified in the bill and file a report with the General Assembly by January 15, 2016, and every year thereafter, of its activities and any findings or recommendations for legislative action. The joint committee must establish a permanent subcommittee on the Missouri criminal code to periodically review the criminal laws of the state. The joint committee may select an advisory committee to aid the subcommittee, consisting of a representative of the Missouri Supreme Court, a representative of the Office of the Attorney General, and other individuals known to be interested in the improvement of the state's criminal laws. The subcommittee must present to the General Assembly a criminal code revision bill as it finds appropriate in each tenth year (Section 21.880).

The Joint Committee on Tax Policy must assume specified duties of the Joint Committee on Economic Development Policy and Planning regarding the designation of an enterprise zone or a satellite zone (Sections 135.210 and 135.230).

The bill repeals provisions that allow a parent or guardian to provide to the county recorder of deeds a signed declaration stating his or her intent for a child to attend a home school to minimize unnecessary truancy investigations (Section 167.042).

The Joint Committee on MO HealthNet must study the efficacy of the program as well as the resources needed to continue and improve the MO HealthNet Program. The committee must meet at least three times a year. The committee may hire an employee or enter into employment contracts as it deems necessary within the limits of any appropriation for that purpose. The compensation of the personnel and the expenses of the committee are to be paid from the Joint Contingent Fund or jointly from the Senate and House of Representatives contingent funds until an appropriation is made. The committee must annually conduct a rolling five-year MO HealthNet forecast and submit an annual report to the General Assembly beginning January 1, 2016 (Section 208.952).

The bill requires the board and the members of a child abuse and neglect (CAN) review board to objectively decide whether a preponderance of the evidence establishes that an individual is responsible for child abuse or neglect and to make decisions based only on the facts presented to it.

The board must act independently of the Children's Division in the Department of Social Services so as to assure that due process of the law is afforded to all parties in the proceedings. These provisions cannot be construed to prohibit the department or division from providing any training or administrative support to the boards. Currently, each review board must consist of nine members appointed by the Governor with the advice and consent of the Senate consisting of four specific professionals and four suggested professionals. The bill repeals the requirement that the members consist of the specific and suggested professionals but requires that each member be a Missouri resident and specifies that the term of office of each member will be three years. At the time of an appointment, no more than five members of any board can be of the same political party as the Governor. The bill specifies that a current employee of the Department of Social Services cannot serve on a review board (Section 210.153).

The Senate and House standing committees with jurisdiction over corrections issues or penal and correctional institutions must assume specified duties of the Joint Committee on Corrections (Sections 217.025 - 217.567).

Currently, the Oversight Division of the Joint Committee on Legislative Research must perform an actuarial analysis on any new or revised mandated health care benefit proposed by the General Assembly and a recommendation must be delivered to the Speaker of the House of Representatives and the President Pro Tem of the Senate prior to being enacted. The bill specifies that the analysis must be conducted on any new or revised mandated benefit enacted by the General Assembly and a recommendation must be delivered to the Speaker and the President Pro Tem prior to July 1 of the year following its enactment (Section 376.1190).

The provisions regarding the Entrepreneurial Development Council must expire on December 31, 2015 (Section 620.050).

Currently, the State Mental Health Commission includes one member who is a physician recognized as an expert in the evaluation or habilitation of persons with an intellectual or developmental disability. The bill specifies that the member must be a physician, licensed clinical psychologist, or other licensed clinician recognized as an expert in the evaluation or treatment of persons with an intellectual or developmental disability (Section 630.010).

The provision requiring the General Assembly to annually appropriate \$3 million to the Cyber Crime Investigation Fund is repealed. The program to distribute grants to multi-jurisdictional Internet crime

law enforcement task forces through the fund is re-authorized until December 31, 2024. The provisions regarding the program had expired on June 5, 2012 (Section 650.120).

The bill repeals the provisions regarding the following committees, commissions, task force, boards, and councils that have dissolved or expired as required by their authorizing statutes:

- (1) Advisory Committee on Tobacco Securitization (Section 8.597);
- (2) Joint Committee on Corrections (Sections 21.400 - 21.465);
- (3) Joint Committee on Capital Improvements and Leases Oversight (Sections 21.530 - 21.537);
- (4) Joint Committee on Terrorism, Bioterrorism, and Homeland Security (Section 21.800);
- (5) Joint Committee on Urban Agriculture (Section 21.801);
- (6) Joint Committee on the Missouri Criminal Code's review of the sexual offender registry (Section 21.835);
- (7) Joint Committee on Solid Waste Management District Operations (Section 21.850);
- (8) Joint Committee on the Reduction and Reorganization of Programs within State Government (Section 21.910);
- (9) Joint Committee on Missouri's Promise (Section 21.920);
- (10) Missouri Investment Trust and its board of trustees (Sections 30.953 - 30.971);
- (11) A joint legislative committee that was created to oversee the destruction of certain documents by the Commissioner of Administration, the Division of Finance, and the Public Service Commission (Sections 33.150, 167.042, 361.120, and 386.145);
- (12) Joint Subcommittee on Recovery Accountability and Transparency (Section 33.850);
- (13) Committee on State-operated Wireless Communications Systems (Section 37.250);
- (14) The SB 844 version of the provisions passed in 2010 that created the Missouri Ethics Commission (Section 105.955);
- (15) Children's Vision Commission and the requirement that all public school districts conduct specified eye screenings for each student (Section 167.195);
- (16) Alzheimer's State Plan Task Force (Section 191.115);
- (17) Newborn Hearing Screening Advisory Committee (Section 191.934);

(18) Technical Advisory Committee on the Quality of Patient Care and Nursing Practices (Section 197.291);

(19) Coordinating Council on Special Transportation (Section 208.275);

(20) MO HealthNet Oversight Committee (Section 208.955);

(21) State Commission on Regulatory Barriers to Affordable Housing (Sections 215.261 and 215.262);

(22) Farm-to-Table Advisory Board (Section 262.950);

(23) Advisory Committee on License Plate Design (Section 301.129);

(24) Joint Committee on Gaming and Wagering (Section 313.001);

(25) Missouri Oral Chemotherapy Parity Interim Committee (Section 338.321);

(26) Health Care Stabilization Fund Feasibility Board (Section 383.250);

(27) Doubly enacted provisions regarding the Court Automation Committee and the Statewide Court Automation Fund (Section 476.055);

(28) Joint Committee on Economic Development Policy and Planning (Section 620.602); and

(29) Review Committee for Purchasing within the Department of Mental Health (Section 630.461).

## **CCS HCS SB 584 -- TAXATION**

### ***(Vetoed by the Governor)***

This bill changes the laws regarding taxation. In its main provisions, the bill:

(1) Changes the laws regarding tax liability disputes. Currently, the Director of the Department of Revenue has the burden of proof with respect to any factual issue relevant to ascertaining the liability of a taxpayer in a tax liability dispute under specified circumstances. The bill repeals the burden of proof requirement when, in the case of a partnership, corporation, or trust, the net worth of the taxpayer does not exceed \$7 million and the taxpayer does not have more than 500 employees at the time the final decision of the department director is issued and only requires the department director to have the burden of proof if the taxpayer has produced evidence that establishes that there is a reasonable dispute with respect to the tax issue and the taxpayer has adequate records of the transactions and provides the department reasonable access to the records. Currently, the provisions of Section 136.300, RSMo, cannot apply to any issue with respect to the applicability of any tax exemption or

credit. The bill removes the applicability of any tax exemption and specifies that the provisions cannot apply to any issue with respect to the applicability of any tax credit (Section 136.300);

(2) Requires any correspondence by the St. Louis County Assessor with a taxpayer to include in bold, 14-point font a statement that disclosure of the information requested is voluntary and not required by law and that any information disclosed may become public record. This provision does not apply to a request for information regarding the required listing of property or listing of lessees (Section 137.133);

(3) Authorizes an exemption for motor fuel used exclusively for watercraft in this state from the motor fuel tax and any state or local sales and use taxes. No taxes can be imposed or levied on any motor fuel delivered to a marina within this state that sells the fuel solely for use in any watercraft and is not accessible to other motor vehicles. Currently, a taxpayer must pay the motor fuel tax with the purchase of the fuel and then request a refund of the tax from the Department of Revenue within one year of the purchase. The bill specifies that any motor fuel distributor who delivers motor fuel to a marina in this state for use solely in any watercraft at a location other than a Missouri marina may claim the exemption by filing a refund claim for the fuel tax paid from the department. Currently, the sales and use tax only applies to fuel not subject to the motor fuel tax (Sections 142.815 and 144.030);

(4) Changes the provisions regarding the filing of withholding tax returns. Currently, an employer is allowed to file an annual withholding tax return instead of four quarterly returns when the aggregate amount withheld is less than \$20 in each of the four preceding quarters. The bill changes the amount to less than \$100 in each of the four preceding quarters if the employer is not otherwise required to file a withholding return on a quarterly or monthly basis (Section 143.221);

(5) Adds receipts of royalties, license fees, and other income for the use of intangible property and services for compensation to the definition of "sales" in the formula a corporation uses to determine Missouri taxable income and provides guidance on how the items are apportioned to the state. Currently, in determining what portion of a corporation's income is taxable in Missouri, the business may use a method whereby the ratio of instate sales to total sales is multiplied by the net income. A method for determining whether sales of tangible property are to be considered instate is already established in current law. The bill specifies a process for all other sales (Section 143.451);

(6) Authorizes a state and local sales and use tax exemption for the amount paid that results in the right of first refusal for tickets to events but does not itself result in admission. Currently, there is a state and local sales and use tax on the sales of admission tickets, cash admissions, charges, and fees to or in places of amusement, entertainment, recreation, games, and athletic events. The bill specifies the tax will only apply to sales of admission tickets and charges and fees for admission to view sporting events; dance performances; theater performances; orchestra, concerts, and other performing arts productions; and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial attractions (Sections 144.010, 144.018, and 144.020);

(7) Authorizes a state and local sales and use tax exemption on the sale of a used manufactured home (Section 144.044);

(8) Authorizes a state and local sales and use tax exemption on the sale of specified drugs, biological products, and devices used to treat terminal illness, including components and repair parts and the disposable or single-use supplies required for the use of the devices, that have successfully completed phase one of a clinical trial but have not been approved by the United States Food and Drug Administration for general use (Section 144.052);

(9) Authorizes a state sales and use tax exemption for specified sales of electrical energy, gas, water, coal, and energy sources and specified materials used or consumed and the specified related infrastructure involved in the production or transmission of electricity to customers (Section 144.058);

(10) Authorizes a state and local sales and use tax exemption for specified sales of utilities, materials, and machinery used in connection with a data processing or storage center (Section 144.058);

(11) Removes the prohibition and allows a seller to advertise or state that the required sales tax will be assumed or absorbed into the price of the property sold or the service rendered if the amount of the tax is stated on the invoice or receipt (Section 144.080);

(12) Clarifies the limitations on sales tax refund claims by specifying that for a sales tax refund claim to be offset by the Department of Revenue, the offset or claim must have been assessed and the assessment must no longer be subject to appeal (Section 144.190); and

(13) Extends the authority of a regional jail district to impose a sales tax of up to .5% on sales in the

district to September 30, 2027. The current authority expires on September 30, 2015 (Section 221.407).

## **SS SCS SB 593 -- POLITICAL SUBDIVISION ELECTIONS**

*(Vetoed by the Governor)*

Currently, with the exception of municipal elections, nonpartisan elections in political subdivisions and special districts do not need to be held when the number of candidates who have filed is equal to the number of positions to be filled. This bill allows any city, town, or village with less than 1,000 inhabitants to not conduct nonpartisan municipal elections for six years if the question is approved by a majority of the qualified voters. The time period may be extended if the question is again adopted by a majority of the qualified voters. The bill requires a public notice to be published by the first of the month in which the election would have occurred containing the names of candidates who will be placed in office when the election is not held.

Each member of an emergency services board of directors must be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings for the recall may be commenced by the filing of a notice of intention to circulate a recall petition.

A member cannot be recalled if he or she has not held office during the current term for more than 180 days, has 180 days or less remaining in his or her current term, or has had a recall election determined in his or her favor within the current term.

The notice must be served personally or by certified mail on the board member and filed with the election authority. A separate notice must be filed for each member sought to be recalled and must contain information explaining the reason for the recall. It must list at least one but not more than five proponents of the recall. Within seven days after the filing of the notice, the board member may file with the election authority a statement answering the statement of the proponents. The answer must also be served on one of the named proponents. The statement and answer are intended solely to be used for the information of the voters.

The person circulating the petition must sign an affidavit verifying certain information. A recall petition must be filed with the election authority not more than 180 days after the filing of the notice of intention. The number of qualified signatures required must be equal to at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

Within 20 days from the filing of the petition, the election authority must determine whether

the petition was signed by the required number of qualified signatures. It must file a certificate with the petition showing the results of the examination. If the election authority certifies that the petition does not have enough signatures, it may be supplemented within 10 days of the date of certification.

Within 10 days after the supplemental copies are filed, the election authority must certify whether or not the petition as supplemented is sufficient. If it is insufficient, no action can be taken but the petition must remain on file.

If the election authority finds the signatures on the petition, or together with any supplemental signatures, to be sufficient, it must submit its certificate to the board of directors prior to its next meeting and order an election to be held not less than 45 days but not more than 120 days from the date the board receives the petition. A nomination for a board membership opening must be made by filing a statement of candidacy with the election authority.

Any time prior to 42 days before the election, the member sought to be recalled may offer his or her resignation, and the recall question must be removed from the ballot and the office declared vacant.

#### **HCS SB 600 -- VETERANS**

This bill changes the laws regarding veterans. In its main provisions, the bill:

(1) Authorizes the issuance of a military medallion, medal, and certificate of appreciation to any veteran who honorably served in World War II, the Korean Conflict, or the Vietnam War as a member of the Missouri National Guard regardless of whether the veteran is or ever was a legal resident of Missouri;

(2) Establishes the Operation Iraqi Freedom and Operation New Dawn Medallion Program and the Operation Desert Shield and Operation Desert Storm Medallion Program. Any veteran who honorably served on active duty in the United States military service during certain dates, is a legal resident of this state or was a legal resident at the time he or she entered or was discharged from military service or at the time of his or her death, or was a Missouri National Guard member regardless of residency is eligible for a medallion, medal, and certificate of appreciation for his or her service;

(3) Requires each school district board to require each school in the district to conduct educational programs and activities and devote at least one class period leading up to a Veterans Day observance that conveys the meaning and significance of the day and allows November 11 to be included as a school holiday at the discretion of the district;

(4) Removes the additional \$15 annual application fee charged for a "Gold Star" special personalized license plate;

(5) Allows any woman who currently serves in any branch of the United States Armed Forces or was honorably discharged to apply for a special personalized license plate bearing the words "WOMAN VETERAN" in place of the words "SHOW-ME STATE" for any motor vehicle except an apportioned motor vehicle or a commercial vehicle licensed in excess of 18,000 pounds gross weight. To obtain this plate, a person must apply to the Director of the Department of Revenue, furnish proof of military service as the department director may require, and pay a \$15 fee in addition to the regular registration fee. The plates are not transferable, but a registered co-owner may operate the vehicle with the plates for the duration of the year it is licensed in the event of the death of the qualified person; and

(6) Requires specified mandated business fees and the fee for an application for the reservation of a name to be waived if a specified organizer, majority shareholder, officer, director, or partner of a company, corporation, health services corporation, nonprofit corporation, cooperative company, or partnership is a member of the Missouri National Guard or any other active duty member of the military, resides in Missouri, and provides proof of the service to the Secretary of State.

#### **SB 601 -- ENERGY EFFICIENCY TAX DEDUCTION**

Currently, the provisions regarding the income tax deduction for a home energy audit or the implementation of any energy efficiency recommendation expired on December 31, 2013. This bill reauthorizes the provisions until December 31, 2020.

#### **HCS SB 606 -- PREPAID LEGAL SERVICES PLAN**

This bill specifies that any person who solicits memberships on behalf of a prepaid legal services plan must disclose to the consumer in writing that a prepaid legal services plan is not an insurance product and is not regulated by the Department of Insurance, Financial Institutions and Professional Registration.

#### **SB 609 -- INSURANCE DOCUMENTS**

This bill allows notices and documents issued by insurers organized under Chapter 379 or Chapter 380, RSMo, and notices and documents relating to life insurance products issued by insurers organized under Chapter 376 to be delivered, saved, stored, and managed in an electronic format in the same way as other documents are currently authorized under Sections 379.011 and 379.012.



The bill allows any insurer, including an insurer organized under Chapter 380, to make policy forms and endorsements available electronically on the insurer's website in lieu of mailing or delivering a paper copy to an insured if the forms and endorsements do not contain personally identifiable information.

### **SB 610 -- CONSUMER PROTECTIONS**

This bill expands the consumer protections in Section 407.725, RSMo, regarding unfair merchandising practices by a building contractor that are currently available to owners of residential property to include commercial property owners.

### **CCS SCS SB 612 -- TAXATION**

*(Vetoed by the Governor)*

This bill changes the laws regarding taxation.

#### **NONRESIDENT ENTERTAINER AND PROFESSIONAL ATHLETIC TEAM INCOME TAX (Section 143.183, RSMo)**

The bill extends the allocations of state income tax revenues collected from nonresident entertainers and professional athletic team members to the Missouri Arts Council Trust Fund, Missouri Humanities Council Trust Fund, Missouri State Library Networking Fund, Missouri Public Television Broadcasting Corporation Special Fund, and Missouri Historic Preservation Revolving Fund from December 31, 2015, to December 31, 2020, subject to appropriations.

#### **ALLOCATION OF INTERSTATE INCOME FOR CORPORATE TAX PURPOSES (Section 143.451)**

Currently, in determining what portion of a corporation's income is taxable in Missouri, the business may use a method whereby the ratio of instate sales to total sales is multiplied by the net income. A method for determining whether sales of tangible property are to be considered instate is already established in current law. The bill specifies a process for all other sales.

For sales of real property or rentals of tangible personal property, the portion of the property sold or rented that is located in this state must be considered an instate sale. For sales of service, the portion of the benefits delivered to purchasers in this state must be considered an instate sale.

For rentals or licenses of intangible property, the portion used in this state by the rentee or licensee must be considered an instate sale. Intangible property used for marketing must be considered used in this state if the good or service being marketed is purchased by a consumer in this state. Franchise fees or royalties for intangible property

must be considered used in this state if the franchise is located in this state.

For sales of intangible property, the portion of the sale used in this state must be considered an instate sale. If the sale is for the right to conduct business activity in a certain geographic area, the sale must be considered instate if the geographic area is in this state. If receipts for sales of intangible property are dependent on use or productivity, the sale must be considered a lease or rental of intangible property. All sales of intangible property other than the right to conduct business in a specific area or sales with receipts contingent on productivity or use must be excluded from the sales factor when determining corporate income tax.

If it cannot be determined or reasonably approximated that a sale occurs in this state, the sale must be excluded from the sales factor for corporate income taxation.

#### **NOTICE OF SALES TAX LAW CHANGES (Section 144.021)**

The Department of Revenue must notify all affected sellers if the amount of taxes due is modified by a decision of the department director, the Administrative Hearing Commission, or a court that changes which items of tangible personal property or services are taxable before the modification can take effect. If the department fails to notify a seller of the change, the seller cannot be liable for the additional taxes to be collected until the seller is notified. The waiver of liability must not apply to any seller that had prior notice or that has previously remitted tax on the property or service which is subject to the decision.

#### **SALES TAX EXEMPTION FOR COMMERCIAL LAUNDRIES (Section 144.054)**

The bill authorizes a sales and use tax exemption for materials, machinery and parts, energy, and other ingredients used by a commercial or industrial laundry to treat, clean, and sanitize textiles. The facility must process at least 500 pounds of textiles per hour and at least 60,000 pounds per week to qualify for the exemption.

### **CCS HCS SB 615 -- ADMINISTRATION OF JUSTICE**

The bill changes the laws regarding the administration of justice.

#### **CIVIL FINES FOR COUNTY ORDINANCE VIOLATIONS (Section 49.272, RSMo)**

Buchanan County is added to the list of counties authorized to impose, by rule, regulation, or ordinance a civil fine of up to \$1,000 for each violation of any county rule, regulation, or ordinance.

#### LAW ENFORCEMENT OFFICER IMMUNITY (Section 57.095)

The bill specifies that a sheriff or any other law enforcement officer must have immunity from any civil or criminal liability while conducting service of process at the direction of any court to the extent that the officer's actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.

#### OFFICE OF STATE COURTS ADMINISTRATOR HANDBOOK (Section 452.556)

Currently, each court must mail a copy of the handbook created by the Office of State Courts Administrator to individuals involved in a dissolution of marriage proceeding where minor children are involved. The bill specifies that the court must provide a copy of the handbook.

#### SCHEDULE OF FINES (Sections 476.056, 476.385, and 488.014)

Currently, a committee consisting of associate circuit judges establishes and maintains a schedule of fines to be paid for the violation of specified provisions of law. The bill repeals Section 210.104, which was repealed in 2006 by Senate Bill 872, from the provisions.

The bill repeals duplicate provisions regarding the committee and the schedule of fines that were passed in Senate Bill 23 in 2013.

The bill specifies that a municipality may retain the court costs that have been overpaid to its municipal court that do not exceed \$5 for the operation of the court.

#### JUDGESHIP POSITIONS (Sections 478.320 - 478.740)

The bill repeals the provision requiring one additional associate circuit judge position when the Office of State Courts Administrator indicates in an annual judicial weighted workload model for three or more consecutive years the need for four or more full-time judicial positions in any judicial circuit with a population of 100,000 or more.

Beginning in Fiscal Year 2015, there must be 20, instead of the current 19, circuit judges in the 21st Judicial Circuit, and they must sit in 20 divisions. There must be one additional associate circuit judge position in the circuit starting in Fiscal Year 2015 that must not be included in the statutory formula for authorizing additional judgeships per county.

There must be 10, instead of the current nine, associate circuit judges in the 16th Judicial Circuit. The tenth associate circuit judgeship position

must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

Beginning in Fiscal Year 2015, there must be one additional associate circuit judge in the 31st Judicial Circuit, and there must continue to be the associate judge position authorized in Fiscal Year 2014. These positions must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

Beginning in Fiscal Year 2015, there must be one additional associate circuit judge position in the 11th Judicial Circuit. The judge must be elected in 2016 and the position must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

There must be two circuit judges in the 38th Judicial Circuit, and these judges must sit in divisions numbered one and two. The circuit judge in division two must be elected in 2016, and the position must not be considered vacant or filled until January 1, 2017. The judge in division one must be elected in 2018.

#### COURT RECORDS (Section 483.140)

The provisions requiring every judge to examine and superintend court records must not be construed to permit the adoption of any local court rule that grants a judge the discretion to remove or direct the removal of any pleading, file, or communication from a court file or record without the agreement of all the parties.

#### FRANKLIN COUNTY COURT FEES (Section 488.426)

Currently, Franklin County may impose an additional court fee of \$10 on any party filing a civil case in the circuit court with the exception of cases concerning adoption and those in small claims court. The bill extends the expiration date of this provision from December 31, 2014, to December 31, 2019.

#### SURCHARGE FOR DOMESTIC VIOLENCE SHELTERS (Section 488.607)

The bill increases, from \$2 to up to \$4, the surcharge that may be collected for each criminal case in cities or counties with a domestic violence shelter.

#### 31ST JUDICIAL CIRCUIT SURCHARGE (Section 488.2206)

In addition to all court fees and costs, a surcharge of up to \$10 must be assessed as costs in each criminal proceeding filed in the 31st Judicial Circuit except in any proceeding in any court when the

proceeding or defendant has been dismissed by the court or when the costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, a surcharge must not be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must only be used to pay for the costs associated with the land assemblage and purchase, construction, maintenance, and operation of any county or municipal judicial facility.

#### KANSAS CITY MUNICIPAL COURT COSTS (Section 488.2235)

The City of Kansas City is allowed to impose an additional court cost of up to \$5 for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge. The judge may waive the assessment of the additional cost if the judge finds the defendant to be indigent and unable to pay the costs. The city can only use the additional costs for the restoration, maintenance, and upkeep of the municipal courthouse.

These provisions will expire on August 28, 2021.

#### DISARMING A POLICE OFFICER OR A CORRECTIONAL OFFICER (Section 575.153)

The bill changes the laws regarding the crime of disarming a peace officer or a correctional officer by specifying that a person also commits the crime by intentionally removing a less-lethal weapon from a peace officer or a correctional officer including any blunt impact, chemical, or conducted energy device used in the performance of his or her official duties while the officer is acting within the scope of his or her official duties or intentionally depriving a peace officer or a correctional officer of a less-lethal weapon while the officer is acting within the scope of his or her official duties.

#### CLOSED RECORDS (Section 610.021)

Individually identifiable records submitted to the Office of the Lieutenant Governor regarding reports of waste, fraud, and abuse of public resources may be closed for the purposes of the Open Meetings and Records Law, commonly known as the Sunshine Law.

#### COURT FILINGS (Section 1)

All courts that require mandatory electronic filing must accept, file, and docket a notice of entry of appearance filed by an attorney in a criminal case

if the filing does not exceed one page in length and was sent by fax or regular mail.

This provision will expire on December 31, 2016.

#### COURT COSTS (Sections 550.040 and 550.060)

The provision is repealed that requires the state to pay the costs in all capital cases and those in which imprisonment is the sole punishment for the offense if the defendant is acquitted and the costs to be paid by the county in which the indictment was found or information filed in all other trials on indictments or information if the defendant is acquitted.

The bill repeals the provision requiring the prosecutor or the person on whose oath the prosecution was commenced to be liable for all the court costs in any case where a person must be committed or recognized to answer for a felony and no indictment is issued against the person and prohibiting the state or county from paying the costs.

The provisions of the bill regarding judgeship positions contain an emergency clause.

#### CCS#2 HCS SB 621 -- JUDICIAL PROCEDURES

This bill changes the laws regarding judicial procedures.

#### PUBLICATION OF THE MISSOURI REVISED STATUTES (Sections 3.010, 3.066, and 3.090, RSMo)

Currently, the Revised Statutes of Missouri are required to be published at least every 10 years. The bill removes this requirement and specifies that the statutes must be published only upon the adoption of a concurrent resolution by the General Assembly. Annotations or statutory supplements may be printed without the adoption of a concurrent resolution.

When a state or federal court issues a permanent order enjoining a bill or statute enacted by the General Assembly as unconstitutional on procedural grounds, the Missouri Attorney General must notify the Revisor of Statutes of the order and he or she must publish a footnote to each affected section calling attention to the court ruling on any official website of the Joint Committee on Legislative Research. The footnote must remain until a final ruling by the Missouri Supreme Court or a federal court at which time the footnote must be removed and, if necessary, the website updated.

The Revisor of Statutes is required to publish the revised statutes on any official website of the committee. However, the on-line version of the revised statutes must not be considered an official version of the revised statutes unless the Revisor

of Statutes chooses to certify it and places a certificate on the website. The Revisor of Statutes must periodically update the website as new laws are enacted, including an update on the effective date of any section that becomes law.

#### JOINT COMMITTEE ON THE JUSTICE SYSTEM (Section 21.880)

The Joint Committee on the Justice System is established consisting of members of the General Assembly and three ex-officio members as specified in the bill, including a member of the House of Representatives and the Senate appointed by the Minority Floor Leader of each chamber. The committee must review and monitor all aspects of the state's justice system as specified in the bill and file a report with the General Assembly by January 15, 2016, and every year thereafter, of its activities and any findings or recommendations for legislative action. The joint committee must establish a permanent subcommittee on the Missouri criminal code to periodically review the criminal laws of the state. The joint committee may select an advisory committee to aid the subcommittee, consisting of a representative of the Missouri Supreme Court, a representative of the Office of the Attorney General, and other individuals known to be interested in the improvement of the state's criminal laws. The subcommittee must present to the General Assembly a criminal code revision bill as it finds appropriate in each tenth year.

#### SPECIAL PROSECUTORS (Section 56.110)

When a special prosecutor is appointed in any case, he or she must not otherwise represent a party other than the State of Missouri in any criminal case or proceeding in that circuit for the duration of that appointment and must be considered an appointed prosecutor for purposes of Section 56.360.

#### LAW ENFORCEMENT OFFICER IMMUNITY (Section 57.095)

A sheriff or any other law enforcement officer must have immunity from any criminal and civil liability while conducting service of process at the direction of any court to the extent that the officer's actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.

#### JEFFERSON COUNTY MUNICIPAL COURTS (Section 67.320)

The bill updates the legal description of Jefferson County to its current description in the provisions that allow Jefferson and Franklin counties to

prosecute a violation of a county order in a county municipal court.

#### INTEREST ON JUDGMENTS (Section 408.040)

A judgment must accrue interest on the judgment balance, which is the total amount of the judgment awarded on the day the judgment is entered including, but not limited to, principal, prejudgment interest, and all costs and fees. Post-judgment payments or credits must be applied first to post-judgment costs, then to post-judgment interest, and then to the judgment balance.

#### UNCLAIMED PROPERTY (Sections 447.534 - 447.584)

The bill changes the laws regarding unclaimed property. A United States savings bond in possession of the State Treasurer or with an owner whose last known address is located in Missouri must be deemed abandoned when it has remained unclaimed for more than three years after its maturity date and must escheat to the state three years after abandonment. At least 180 days after the bond escheats to the state, the State Treasurer must bring a civil action to confirm that the bond must escheat to the state. The State Treasurer must retain a record of the name and, if known, the last known address of each person named on the savings bond that has escheated to the State of Missouri and which has been redeemed by the State Treasurer.

#### OFFICE OF STATE COURTS ADMINISTRATOR HANDBOOK (Section 452.556)

Currently, each court must mail a copy of the handbook created by the Office of State Courts Administrator to individuals involved in a dissolution of marriage proceeding where minor children are involved. The bill specifies that the court must provide a copy of the handbook.

#### WILLS AND TRUSTS (Sections 456.4-420 and 474.395)

Currently, a no-contest clause in a will or trust is enforceable, which generally means that a beneficiary forfeits interest in the will or trust property if he or she contests the trust or will. The bill specifies that if a trust instrument containing a no-contest clause is or has become irrevocable, as defined in the bill, an interested person may file a petition with a court for a ruling on whether a particular claim for relief would trigger application of the no-contest clause or trigger a forfeiture that is enforceable under applicable law and public policy. The petition for the ruling must be verified

under oath and may be filed as a separate judicial proceeding or along with other claims for relief in a single proceeding. The bill specifies that when ruling on the petition, the court must consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. The court must not accept evidence beyond the pleadings and the trust instrument except as required to resolve an ambiguity in the no-contest clause.

An order or judgment on the application of a no-contest clause must be subject to appeal as with other final judgments. Following the ruling, if claims are subsequently filed that are materially different than those upon which the no-contest clause order or judgment is based, the party in whose favor the order or judgment was entered must have no protection from enforcement of the no-contest clause provided under these provisions to the extent the new claims are raised.

The bill specifies the types of circumstances in which a no-contest clause is not enforceable, including filing a claim objecting to the jurisdiction or venue of the court or filing a claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee. In these situations, the court may award attorney fees and costs to any party.

If a will contains a no-contest clause, an interested person may file a petition with the court for a determination whether a particular claim for relief would trigger the application of the no-contest clause or trigger a forfeiture that is enforceable under applicable law and public policy.

#### JUDICIAL RESOURCES AND THE JUDICIAL CONFERENCE (Sections 476.001 - 476.340)

Current law states that it is the purpose of specified provisions of law to provide the General Assembly and the Supreme Court with the mechanisms to obtain a comprehensive analysis of judicial resources and an efficient method for identifying problems and allocating personnel, facilities, and resources within the judicial system. The bill adds and repeals specific provisions from the list.

The bill removes commissioners of the Supreme Court as members of the Judicial Conference of the State of Missouri and requires the conference to meet at least once every odd-numbered year instead of at least once a year.

#### PRELIMINARY HEARINGS (Section 478.240)

The presiding judge is authorized to assign a judge to hear the trial of a felony case when he or she has previously conducted the preliminary hearing

in that case if the defendant has signed a written waiver permitting the same judge to hear both the preliminary hearing and the trial.

#### JUDGESHIP POSITIONS (Sections 478.320 - 478.740)

The bill repeals the provisions requiring one additional associate circuit judge position when the Office of State Courts Administrator indicates in an annual judicial weighted workload model for three or more consecutive years the need for four or more full-time judicial positions in any judicial circuit with a population of 100,000 or more.

Beginning in Fiscal Year 2015, there must be 20, instead of the current 19, circuit judges in the 21st Judicial Circuit, and they must sit in 20 divisions. There must be one additional associate circuit judge position in the circuit starting in Fiscal Year 2015 that must not be included in the statutory formula for authorizing additional judgeships per county.

There must be 10, instead of the current nine, associate circuit judges in the 16th Judicial Circuit. The tenth associate circuit judgeship position must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

Beginning in Fiscal Year 2015, there must be one additional associate circuit judge in the 31st Judicial Circuit, and there must continue to be the associate circuit judge position authorized in Fiscal Year 2014. These positions must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

Beginning in Fiscal Year 2015, there must be one additional associate circuit judge position in the 11th Judicial Circuit. The judge must be elected in 2016 and the position must not be included in the statutory formula for authorizing additional associate circuit judgeships per county.

There must be one more additional associate circuit judge position in Boone County than is authorized in the statutory formula for authorizing additional associate circuit judgeships per county.

There must be two circuit judges in the 38th Judicial Circuit, and these judges must sit in divisions numbered one and two. The circuit judge in division two must be elected in 2016, and the position must not be considered vacant or filled until January 1, 2017. The judge in division one must be elected in 2018.

#### GARNISHMENTS (Sections 488.305 and 525.040 - 525.310)

In a case where a garnishment is granted, the circuit court clerk may charge and collect a

surcharge of up to \$10 for the clerk's duties. Any moneys collected from this surcharge must be placed in a fund to be used to maintain and improve case processing and record preservation.

The bill specifies that in the case of a continuous wage garnishment, a notice of garnishment served as required by law must have the effect of attaching all personal property, money, rights, or other choses in action of the defendant until the judgment is paid in full or the employment relationship is terminated, whichever occurs first.

Writs of garnishment which would otherwise have equal priority must have priority according to the date of service, and if the employee's wages have been attached by more than one writ of garnishment, the employer must inform the inferior garnisher of the other garnishments.

When applicable, a garnishee may discharge himself or herself by paying the money or giving the property owed to the defendant to the attorney for the party on whose behalf the order of garnishment was issued. The court may order the delivery of the defendant's property possessed by the garnishee to the attorney for the party on whose behalf the order of garnishment was issued.

The bill allows the garnishee to deduct up to \$20 or a fee previously agreed upon between the garnishee and judgment debtor if the garnishee is a financial institution for his or her trouble and expenses in answering the interrogatories and withholding the funds. The garnishee may file a motion with the court for additional costs incurred in answering the interrogatories.

The bill modifies provisions regarding the issuance of a writ of sequestration. Currently, the wages of state government employees are not subject to direct garnishment but must be collected under a process called sequestration. The bill specifies that the state, municipal, or other political subdivision employer must have the same duties and obligations as a private employer when served with a garnishment. The bill repeals provisions requiring a writ of sequestration when the judgment debtor is an employee of the state, municipality, or other political subdivision and specifies that all garnishments against the employee must proceed in the same manner as any other garnishment.

#### 31ST JUDICIAL CIRCUIT SURCHARGE (Section 488.2206)

In addition to all court fees and costs, a surcharge of up to \$10 must be assessed as costs in each criminal proceeding filed in the 31st Judicial Circuit except in any proceeding in any court when the

proceeding or defendant has been dismissed by the court or when the costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, a surcharge must not be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must only be used to pay for the costs associated with the land assemblage and purchase, construction, maintenance, and operation of any county or municipal judicial facility.

#### SEXUALLY VIOLENT PREDATORS (Sections 632.480 - 632.484)

A conviction in this state or any other jurisdiction for a sexually violent offense can be considered when determining if a person meets the criteria of a sexually violent predator for purposes of confinement and treatment.

#### CYBER CRIME INVESTIGATION FUND AND TASK FORCE (Section 650.120)

The provision requiring the General Assembly to annually appropriate \$3 million to the Cyber Crime Investigation Fund is repealed.

The program to distribute grants to multi-jurisdictional Internet crime law enforcement task forces through the fund is reauthorized until December 31, 2024. The provisions regarding the program had expired on June 5, 2012.

#### COURT COSTS (Sections 550.040 and 550.060)

The provision is repealed that requires the state to pay the costs in all capital cases and those in which imprisonment is the sole punishment for the offense if the defendant is acquitted and the costs to be paid by the county in which the indictment was found or information filed in all other trials on indictments or information if the defendant is acquitted.

The bill repeals the provision requiring the prosecutor or the person on whose oath the prosecution was commenced to be liable for all the court costs in any case where a person must be committed or recognized to answer for a felony and no indictment is issued against the person and prohibiting the state or county from paying the costs.

The provisions of the bill regarding interests on court judgments and the provisions regarding garnishments will become effective January 15, 2015.

The provisions of the bill regarding unclaimed savings bonds contain an emergency clause.

**SCS SB 635 -- INTERSTATE BUSINESS RELOCATION INCENTIVES**

This bill prohibits the issuance of incentives under the Business Use Incentives for Large-Scale Development (BUILD) Program, a tax credit for a new or expanded business facility, funding under the Business Extension Service Team Fund for loans to economically blighted urban districts, or a tax credit or retention of state withholding taxes under the Missouri Works Program for a business that relocates from the Kansas counties of Douglas, Johnson, Miami, or Wyandotte to the Missouri counties of Cass, Clay, Jackson, or Platte. These provisions will become effective when the Director of the Missouri Department of Economic Development certifies to the Governor, Speaker of the House of Representatives, and the President Pro Tem of the Senate that Kansas has adopted similar policies either through legislation or executive order.

These provisions will not be effective if the Director of the Missouri Department of Economic Development certifies that Kansas has resumed offering economic incentives for jobs that relocate from the specified Missouri counties to the specified Kansas counties but can again become effective if Kansas ceases offering the incentives.

The provisions of the bill will expire on August 28, 2016, if the provisions are not in effect at that time or on August 28, 2020, if they did not expire on August 28, 2016.

**SCS SB 639 -- MAMMOGRAPHY REPORTS**

Beginning January 1, 2015, this bill requires a mammography facility, upon completion of a mammogram, to provide to the patient a specified notice regarding dense breast tissue stating that if the mammogram demonstrates that the patient has dense breast tissue which could hide abnormalities and has other risk factors that have been identified, the patient might benefit from a supplemental screening that may be suggested by the ordering physician.

These provisions must not be construed to create a duty of care beyond the duty to provide the notice required under the bill.

The information required by the bill or evidence that a person violated these provisions is not admissible in a civil, judicial, or administrative proceeding.

**SCS SB 642 -- NATURAL RESOURCES**

This bill changes the laws regarding natural resources.

NEW TIRE FEE (Sections 260.273 and 260.279, RSMo)

The bill extends from January 1, 2015, to January 1, 2020, the expiration of the 50-cent fee that must be collected by retailers for each new tire sold and forwarded to the Department of Revenue to be deposited in the Solid Waste Management Fund for specified purposes regarding used waste tires.

DEPARTMENT OF NATURAL RESOURCES FEE STRUCTURE (Sections 260.355, 260.380, 260.475, 640.100, 643.079, and 644.057)

The bill modifies the fee structure laws for the Hazardous Waste Commission, Missouri Safe Drinking Water Commission, Air Conservation Commission, and Clean Water Commission to require the commissions to authorize the department to file an order of rulemaking with the Secretary of State's Office. Currently, the fee structure expires on August 28, 2023. The bill extends the expiration date to August 28, 2024.

RADIOACTIVE WASTE (Section 260.392)

Currently, the provisions regarding the Environmental Radiation Monitoring Fund and the program monitoring the shipment of hazardous waste in Missouri will expire on August 28, 2015. The bill extends the expiration date to August 28, 2024.

MISSOURI MINING COMMISSION (Sections 444.510 - 444.770 and 444.805)

The bill changes the name of the Land Reclamation Commission to the Missouri Mining Commission and increases the membership of the commission from seven members to eight members, including one member who must have training and experience in subsurface mining. The references to surface mining have been removed from the policy statement of the Land Reclamation Act and the bill modifies the definition of "mineral" to include additional specified minerals regulated by the commission.

SURFACE MINING OPERATIONS (Sections 444.772 and 444.773)

Currently, a proposal to operate a surface mine requires the operator to send a notice of intent to operate a surface mine to the last known address of any landowner of record with real property that is contiguous or adjacent to the proposed mine plan area. The bill repeals this provision and requires that the notice be sent to the last known address of any real property landowner of record whose property is within one-half mile from the border of the proposed mine plan area and adjacent to the proposed area, land upon which the mine plan area is to be located,

or adjacent land having a legal relationship with either the applicant or the owner of the land upon which the mine plan area is located. If any individual who receives the notification requests a public meeting, the applicant must bear the expenses.

Currently, the Land Reclamation Commission evaluates permit applications for proposed surface mining operations. The bill transfers this authority to the staff director of the commission. Upon completion of the notice of intent to operate a surface mine and any public meetings, the staff director must make a decision within six weeks after completion of the process, rather than the current within four weeks after the public notice period, to issue or deny a permit application. In certain cases, the staff director may seek additional information from the applicant before making a decision to issue or deny the permit. In issuing a permit, the staff director may impose reasonable conditions consistent with specified provisions. The staff director's decision must be deemed to be the decision of the Director of the Department of Natural Resources and subject to appeal to the Administrative Hearing Commission.

The bill specifies the criteria that the Administrative Hearing Commission may consider when reviewing the staff director's permit application decision. If the Land Reclamation Commission changes a finding of fact or conclusion of law or modifies or vacates the decision recommended by the Administrative Hearing Commission, it must issue its own decision which must be subject to judicial review. For an appeal of the commission's decision, the court of appeals district with jurisdiction in the county where the mine is to be located must have original jurisdiction. A judicial review cannot be available until and unless all administrative remedies are exhausted.

#### WOOD BURNING APPLIANCES (Section 643.055)

The bill prohibits the Department of Natural Resources from regulating the manufacture, performance, or use of residential wood burning heaters or appliances through a state implementation plan or otherwise unless authorized to do so by the General Assembly. Any rule or regulation establishing or enforcing performance standards for residential wood burning heaters or appliances cannot become effective unless first approved by the Joint Committee on Administrative Rules.

A new rule or regulation cannot be applied to existing wood burning furnaces, stoves, fireplaces, or heaters that individuals are currently using as their source of heat for their homes or businesses. All wood burning furnaces, stoves, fireplaces, and heaters existing on August 28, 2014, may not be

subject to any rules or regulations enacted after that date. An employee of the state or state agency cannot enforce any new rules or regulations against existing wood burning furnaces, stoves, fireplaces, and heaters.

#### CLEAN WATER COMMISSION (Section 644.026)

The bill specifies that the Clean Water Commission is the sole agency designated with authority to administer the federal Clean Water Act in Missouri, including approving any stream or wetland mitigation used in connection with a section 401 water quality certification.

#### WATER POLLUTION CONTROL PERMITS (Section 644.051)

The bill changes the laws regarding when a construction permit may be required by the department. The department may require a permit to address noncompliance.

#### WASTEWATER DISCHARGE PERMITS (Section 644.058)

The bill modifies the authority of the Clean Water Commission so that it may only revise water quality standards upon completion of an assessment by the Department of Natural Resources finding that there is an environmental need for the revision. In implementing revised water quality standards modifications of 25% or more, the department must conduct an evaluation which includes environmental and economic impacts of the revised water quality criteria on a subbasin basis. The evaluation is to be conducted at the eight-digit hydrologic unit code level. The department must use these evaluations in making individual site-specific permit decisions.

#### HCS SCS SB 643 -- PUBLICATION OF THE MISSOURI REVISED STATUTES

Currently, the Revised Statutes of Missouri are required to be published at least every 10 years. This bill removes this requirement and specifies that the statutes must be published only upon the adoption of a concurrent resolution by the General Assembly. Annotations or statutory supplements may be printed without the adoption of a concurrent resolution.

When a state or federal court issues a permanent order enjoining a bill or statute enacted by the General Assembly as unconstitutional on procedural grounds, the Missouri Attorney General must notify the Revisor of Statutes of the order and he or she must publish a footnote to each affected section calling attention to the court ruling on any official website of the Joint Committee on Legislative Research. The footnote must remain until a final



ruling by the Missouri Supreme Court or a federal court at which time the footnote must be removed and, if necessary, the website updated.

The Revisor of Statutes is required to publish the revised statutes on any official website of the committee. However, the on-line version of the revised statutes must not be considered an official version of the revised statutes unless the Revisor of Statutes chooses to certify it and places a certificate on the website. The Revisor of Statutes must periodically update the website as new laws are enacted, including an update on the effective date of any section that becomes law.

#### **SB 649 -- POLITICAL SUBDIVISION RIGHT-OF-WAYS**

Currently, a public utility right-of-way user may bring an action for review of specified issues related to the use of the public right-of-way in any court of competent jurisdiction. This bill requires the action to be brought in any court of competent jurisdiction in this state.

Currently, a political subdivision is prohibited from requiring any public utility that has legally been granted access to the political subdivision's right-of-way prior to August 28, 2001, to enter into an agreement or obtain a permit for general access to or the right to remain in the right-of-way of the political subdivision. The bill removes the requirement that the access must have been granted prior to August 28, 2001.

The bill also makes necessary grammatical and intrasectional reference corrections to provisions governing the right-of-way of a political subdivision.

#### **SS SCS SB 650 -- WIRELESS COMMUNICATIONS INFRASTRUCTURE DEPLOYMENT**

This bill changes the laws regarding the Uniform Wireless Communications Infrastructure Deployment Act. The bill specifies that the act is intended to also encourage and streamline the deployment of broadcast facilities and to help ensure that robust wireless radio-based communication services are available throughout Missouri.

The definition of "collocation" is revised from the placement or installation of a new wireless facility on existing structure to the placement or installation of a new wireless facility on a structure that already has an existing wireless facility. The definition of "substantial modification" is revised as it applies to the wireless support structure as it was originally constructed to a structure that increases the square footage of the existing equipment compound by more than 1,250 square feet instead of the current by more than 2,500 square feet.

Currently, an authority is not allowed to take specified actions against a wireless communications service provider. The bill specifies that for collocation to any certified historic structure, in addition to all other applicable time requirements, there must be a 30-day time period before approval of an application. During that period, an authority must hold one or more public hearings on the collocation. An authority must not establish or enforce regulations or procedures for environmental safety for any wireless facility that is inconsistent with or in excess of those required by Office of Engineering and Technology Bulletin 65.

The bill changes, from within 90 to within 120 days, the time period in which the authority with jurisdiction over planning and zoning regulations must review and process an application for a substantial modification of a wireless communications support structure. Currently, any party aggrieved by the final action of an authority by application denial or by its inaction may bring an action for review in any court of competent jurisdiction. The bill specifies that the court must be within this state.

Currently, if a wireless infrastructure provider and an authority disagree on the rental, license, or other fee for locating a wireless support structure on an authority's property, the market rate must be determined by a panel of three certified appraisers. The bill specifies that the market rate must be determined by a licensed state-certified general real estate appraiser mutually agreed upon by the parties at the applicant's cost. If either party is dissatisfied with the market value determined by the appraiser, the party may bring an action for review in any court of competent jurisdiction. The court must rule on any petition for review in an expedited manner.

#### **SCS SB 651 -- COMMUNICATIONS SERVICES**

This bill specifies that no cause of action will lie in any court against a communications-related service provider for any loss, damage, or injury resulting from a disruption or loss of communication services during an emergency situation, except in cases of gross negligence, recklessness, or intentional misconduct. After August 28, 2014, a telecommunications company may obtain certification substituting telecommunications service for interconnected voice over internet protocol service.

#### **HCS SS SCS SB 653 -- MUNICIPAL UTILITY POLES**

Currently, "pole attachment" as it applies to the Uniform Wireless Communications Infrastructure

Deployment Act means an attachment by a video service provider or a telecommunications or other communications-related service provider to a pole owned by a municipal utility but not a wireless antenna attachment or an attachment by a wireless communications provider to a pole. This bill revises the term to mean an attachment by an attaching entity, including a video service provider, a telecommunications provider, or other communications-related service provider to a pole owned or controlled by a municipal utility or municipality but not a wireless antenna attachment or an attachment by a wireless communications provider to a pole. The bill specifies that “pole” means a utility pole that is owned or controlled by a municipal utility or municipality but must not include poles that are not associated with the transmission or distribution of electric power, communications, broadband, or video services. A municipal utility or municipality may only deny an attaching entity access to the utility’s poles on a nondiscriminatory basis if there is insufficient capacity or for reasons of safety and reliability and if the attaching entity will not resolve the issue. These provisions cannot be construed to prohibit a municipal utility or municipality from requiring an attaching entity to enter into a pole attachment agreement consistent with these provisions. The current provisions allowing either party to seek review of any fee, term, or condition by means of binding arbitration conducted by a single arbitrator mutually agreeable to the parties or, in the absence of an agreement, by means of binding arbitration conducted by the American Arbitration Association are repealed. The bill specifies that in the event of a dispute between the parties, either party may bring an action for review in any court of competent jurisdiction. The court must rule on any petition for review in an expedited manner by moving the petition to the head of the docket. Nothing can deny any party the right to a hearing before the court. These provisions must not supersede existing pole attachment agreements established prior to August 28, 2014, and must not confer any authority to the Public Service Commission or any other state agency to regulate attachment to poles.

Where no pole attachment agreement exists between an attaching entity and the municipal utility pole owner or controlling authority of a municipality and a dispute between a municipal utility pole owner or controlling authority of a municipality and an attaching entity exclusively concerns the per-pole fee or any requirement or issue not directly related to pole attachments, the attaching entity may proceed with its attachments during the pendency of the dispute under the agreed-upon terms and conditions at a rental rate of no more than specified

in the bill. The attaching entity must comply with applicable and reasonable engineering, safety, and reliability standards and hold the municipal pole owner or controlling authority of the municipality harmless for any liabilities or damages incurred that are caused by the attaching entity.

A municipal utility or municipality may, after reasonable written notice and an opportunity to cure, as provided in the applicable pole attachment agreement revoke a pole attachment permit granted to an attaching entity and require removal of the attachment for breach of the pole attachment agreement or permit until the breach is cured but only in the event of a substantial breach of material terms and conditions of the pole attachment agreement or permit. The conditions for a substantial breach are specified in the bill.

Unless otherwise provided for in an applicable pole attachment agreement, in the event of an imminent threat to public health, life, or safety, a municipality or municipal utility must, upon notice to the attaching entity, request the attaching entity rearrange, relocate, or remove a pole attachment from a pole or absent action from the attaching entity, have the authority to rearrange, relocate, or remove a pole attachment consistent with industry practices. The attaching entity must be notified as soon as practicable upon the cessation of the threat or upon restoration of the attachment by the municipal utility or municipality.

#### **HCS SB 655 -- PROPERTY**

This bill changes the laws regarding property. In its main provisions, the bill:

(1) Changes, from December 31, 2019, to December 31, 2024, the expiration date of the provisions requiring a builder of one- or two-family dwellings to offer a purchaser the option to have fire sprinklers installed at the purchaser’s cost;

(2) Modifies the definition of “lessee” by restricting it to only a person who leases premises from another to the exclusion of others during the rental or lease period and who is obligated to pay rent. Currently, the definition of “lessee” includes any person residing on the premises with the lessee’s permission;

(3) Adds statutory definitions for the terms “landlord” and “tenant” and revises the definition of “occupant” as a person lawfully occupying a dwelling either as a tenant or a lessee;

(4) Specifies that if the plaintiff presents evidence that a person is not lawfully occupying a dwelling unit as a tenant or a lessee, the court must order the immediate removal of the person;

(5) Specifies that following a court order for immediate eviction, the tenant must have 24 hours to vacate the premises. The landlord must subsequently have the right to re-enter and take possession of the rental premises;

(6) Removes landlord-tenant actions and forcible entry and detainer actions from the list of actions in which an aggrieved party by a judgment in a civil case must have the right of a trial de novo;

(7) Specifies that any judgment, order, or decree awarding unpaid rent may be revived upon specified publication requirements and does not need to be personally served on the defendant;

(8) Requires all cases regarding forcible entry and unlawful detainer to be heard on the record. If the plaintiff has designated the case as one to be heard under the practice and procedure applicable before circuit judges, the case must be heard and determined under the rules of practice and procedure provided in the Missouri Rules of Civil Procedure instead of those in Chapter 517, RSMo;

(9) Requires the service of a summons issued in a landlord-tenant proceeding in Jackson County to be attempted within four days of the date of issuance. Currently, the sheriff must attempt to serve the summons within four days of the date of issuance; and

(10) Specifies that a tenant who willfully or wantonly destroys, defaces, damages, impairs, or removes any part of a leased structure or dwelling unit or its facilities, equipment, or appurtenances may not inject the issue of claim of right.

### **CCS HCS SB 656 -- FIREARMS**

*(Vetoed by the Governor)*

This bill changes the laws regarding firearms.

### **OPEN CARRY ORDINANCES (Section 21.750, RSMo)**

Any ordinance of a political subdivision cannot be construed to preclude the use of a firearm in the defense of person or property subject to the provisions regarding defense of justification. In any jurisdiction in which the open carry of firearms is prohibited by ordinance, the open carry of a firearm must not be prohibited in specified circumstances. In the absence of any reasonable and articulable suspicion of criminal activity, a person carrying a concealed or unconcealed firearm must not be disarmed or physically restrained by a law enforcement officer unless he or she is under arrest. Any person who violates these provisions must be subject to citation for up to \$35.

### **CORPORATE SECURITY ADVISORS (Sections 84.340 and 590.750)**

Currently, the St. Louis Board of Police Commissioners has the authority to regulate corporate security advisors in the City of St. Louis. The bill specifies that the Department of Public Safety must have the sole authority to regulate and license all corporate security advisors and that the authority and jurisdiction of a corporate security advisor must be limited only by the geographical limits of the state unless the advisor's license is recognized by another state or the federal government. Any corporate security advisor licensed as of February 1, 2014, is not required to apply for a new license until his or her license expires or is otherwise revoked.

The bill specifies that acting as a corporate security advisor without a license is a class A misdemeanor.

### **SCHOOL PROTECTION OFFICERS (Sections 160.665, 571.107, 590.010, and 590.207)**

The bill:

(1) Allows any school district to designate one or more school teachers or administrators as a school protection officer, whose responsibilities and duties are voluntary and must be in addition to his or her normal responsibilities and duties. Any compensation for service as a protection officer must be funded by the local school district with no use of state funds;

(2) Requires a school protection officer to be authorized to carry a concealed firearm or a self-defense spray device in any school in the district and prohibits him or her from allowing any firearm or device out of his or her personal control while the firearm or device is on school property. A person who violates this provision may be removed immediately from the classroom and subject to employment termination proceedings;

(3) Specifies that a school protection officer has the same authority to detain and use force against any person on school property as provided to any other person under the provisions regarding defense of justification;

(4) Requires a school protection officer to immediately notify a school administrator and a school resource officer when anyone is detained. If the person detained is a student, a school administrator must also immediately notify the student's parents or guardians. Any person detained must be turned over to a school administrator or law enforcement officer as soon as practically possible and must not be detained for more than one hour;

(5) Requires a teacher or administrator seeking to be designated as a school protection officer to request

the designation in writing to the superintendent of the school district and submit proof that he or she has a valid concealed carry endorsement or permit and a certificate of completion of a school protection officer training program approved by the Director of the Department of Public Safety that demonstrates that the person has successfully completed the training requirements as established by the Peace Officer Standards and Training Commission for school protection officers;

(6) Requires, within 30 days, the school district to notify, in writing, the department director of the designation of any school protection officer or when the district has revoked a person's designation. Any identifying information must not be considered public information and must not be subject to a request under the Open Meetings and Records Law, commonly known as the Sunshine Law;

(7) Requires the department director to maintain a list of all school protection officers and make the list available to all law enforcement agencies; and

(8) Requires, before a district may designate a person as a school protection officer, the school board to hold a public hearing on whether to allow the designation and the notice of the hearing to be published in a newspaper as specified.

#### PATIENT OWNERSHIP OF FIREARMS (Section 571.012)

The bill:

(1) Specifies that a licensed health care professional, or anyone under his or her supervision, cannot be required by law to ask a patient whether he or she owns or has access to a firearm, document or maintain in a patient's medical records whether he or she owns or has access to a firearm, or notify any governmental entity of the identity of a patient based solely on the patient's status as a firearm owner or access to a firearm;

(2) Prohibits a licensed health care professional, or anyone under his or her supervision, or any person or entity that has possession or control of medical records from disclosing information gathered in a doctor/patient relationship regarding a person's status as a firearm owner or access to firearms except under certain specified circumstances; and

(3) Prohibits a health care professional licensed in this state from using an electronic medical record program that requires, in order to complete and save a medical record, entry of data regarding whether or not a patient owns, has access to, or lives in a home containing a firearm.

#### CONCEALED CARRY PERMITS (Sections 571.030, 571.101, 571.117, and 590.750)

The bill:

(1) Specifies that a person commits the crime of unlawful use of weapons if he or she knowingly possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation;

(2) Adds a person appointed by a court to be a special prosecutor who has completed the firearms safety training course to the list of individuals for whom specified provisions regarding the crime of unlawful use of weapons do not apply;

(3) Lowers, from at least 21 years old to at least 19 years old, the age when a person may apply for a concealed carry endorsement;

(4) Changes the time period that a concealed carry permit is valid from five years from the date of issue or renewal to five years from the last day of the month in which the permit was issued or renewed. A person who fails to renew his or her permit within five years from the date of issuance or renewal must not be eligible for an exception to a National Instant Criminal Background Check under federal regulations currently codified under 27 CFR 478.102(d) relating to the transfer, sale, or delivery of firearms from licensed dealers. A concealed carry endorsement issued prior to August 28, 2013, must continue until three years from the last day of the month in which the endorsement was issued or renewed;

(5) Repeals the provision requiring the sheriff or his or her designee to take, within seven days of receipt of the certificate of qualification, the certificate to the Department of Revenue and the Director of the Department of Revenue to issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons and the provision requiring a nondriver's license with a concealed carry endorsement to expire three years from the date the certificate of qualification was issued;

(6) Specifies that consent from an educational facility is not required for a person with a concealed carry endorsement or permit who has been designated by his or her school district as a school protection officer to carry a firearm in a school within that district;

(7) Specifies that an applicant for a conceal carry permit only needs to demonstrate an ability to safely load a revolver or a semiautomatic pistol,

demonstrate his or her marksmanship with either firearm, and complete a live firing exercise and test with either firearm. Currently, an applicant must perform a physical demonstration of his or her ability to safely load a revolver and a semiautomatic pistol, demonstrate his or her marksmanship with both firearms, and complete a live firing exercise and a live firing test with both firearms; and

(8) Specifies that a qualified firearms safety instructor cannot have more than 40 students per certified instructor in the classroom. Currently, a qualified firearms safety instructor cannot have more than 40 students in the classroom.

#### LANDLORD-TENANT AGREEMENTS (Section 571.510)

The bill defines the terms “authority” or “housing authority” to mean any of the corporations created pursuant to the authority of Section 99.040 and any entity or agent associated with the authority that administers or uses public moneys provided by the United States Department of Housing and Urban Development to fund very low, lower, and moderate income public rental housing assistance. The term “lessee” means a lessee of residential premises.

A housing authority, authority, or lessor receiving public funds cannot prohibit a lessee or a member of the lessee’s immediate household or guest from personally possessing firearms within an individual residence or common areas or from carrying or transporting firearms to and from the residence in a manner allowed by law. Any provision of a lease, policy, rule, or agreement in violation of these provisions must be void and unenforceable.

A housing authority, authority, or lessor cannot be liable in tort or any other civil action for damages caused by a lessee’s possession or use of a firearm on property owned by the lessor unless the housing authority, authority, or lessor or an officer, agent, or employee of the housing authority, authority, or lessor:

(1) Violated Section 571.060 or otherwise caused the lessee, the household member, or guest to engage in any unsafe or illegal actions with a firearm; or

(2) Engaged in acts or failures to act that were manifestly outside the scope of employment, duties, or responsibilities or were committed maliciously, in bad faith, or in a wanton and reckless manner.

#### DISARMING A POLICE OFFICER OR A CORRECTIONAL OFFICER (Section 575.153)

The bill changes the laws regarding the crime of disarming a peace officer or correctional officer by

specifying that a person also commits the crime by intentionally removing a less-lethal weapon from a peace officer or a correctional officer including any blunt impact, chemical, or conducted energy device used in the performance of the his or her official duties while the officer is acting within the scope of his or her official duties or intentionally depriving a peace officer or a correctional officer of a less-lethal weapon while the officer is acting within the scope of his or her official duties.

#### PEACE OFFICER STANDARDS AND TRAINING COMMISSION (Section 590.200)

The Peace Officer Standards and Training Commission must establish minimum standards for the training of school protection officers, set the minimum number of hours of the required training, and set the curriculum for school protection officer training programs.

#### CCS HCS SB 662 -- TAXATION

*(Vetoed by the Governor)*

This bill changes the laws regarding taxation.

In its main provisions, the bill:

(1) Adds receipts of royalties, license fees, and other income for the use of intangible property and services for compensation to the definition of “sales” in the formula a corporation uses to determine Missouri taxable income and provides guidance on how the items are apportioned to the state. Currently, in determining what portion of a corporation’s income is taxable in Missouri, the business may use a method whereby the ratio of instate sales to total sales is multiplied by the net income. A method for determining whether sales of tangible property are to be considered instate is already established in current law. The bill specifies a process for all other sales;

(2) Requires the Department of Revenue to notify all affected sellers if the amount of sales tax due is modified by a decision of the department director, the Administrative Hearing Commission, or a court that changes which items of personal property or services are taxable before the modification can take effect. If the department fails to notify a seller of the change, the seller cannot be liable for the additional taxes to be collected until the seller is notified. The waiver of liability must not apply to any seller that had prior notice or that has previously remitted tax on the property or service which is subject to the decision;

(3) Removes the prohibition and allows a seller to advertise or state that the required sales tax will be assumed or absorbed into the price of the property

sold or the service rendered if the amount of the tax is separately stated on the invoice or receipt; and

(4) Authorizes a state and local sales and use tax exemption for the amount paid that results in the right of first refusal for tickets to events at the Sprint Center in Kansas City but does not itself result in admission.

#### **CCS HCS SCS SB 664 -- NATURAL RESOURCES**

This bill changes the laws regarding natural resources.

##### **NEW TIRE FEE (Section 260.273, RSMo)**

The bill extends from January 1, 2015, to January 1, 2020, the expiration of the 50-cent fee that must be collected by retailers for each new tire sold and forwarded to the Department of Revenue to be deposited in the Solid Waste Management Fund for specified purposes regarding used waste tires.

##### **WOOD BURNING APPLIANCES (Section 643.055)**

The bill prohibits the Department of Natural Resources from regulating the manufacture, performance, or use of residential wood burning heaters or appliances through a state implementation plan or otherwise unless authorized to do so by the General Assembly. Any rule or regulation establishing or enforcing performance standards for residential wood burning heaters or appliances cannot become effective unless first approved by the Joint Committee on Administrative Rules.

A new rule or regulation cannot be applied to existing wood burning furnaces, stoves, fireplaces, or heaters that individuals are currently using as their source of heat for their homes or businesses. All wood burning furnaces, stoves, fireplaces, and heaters existing on August 28, 2014, may not be subject to any rules or regulations enacted after that date. An employee of the state or a state agency cannot enforce any new rules or regulations against existing wood burning furnaces, stoves, fireplaces, and heaters.

##### **AIR CONSERVATION COMMISSION (Section 643.640)**

The bill requires the Air Conservation Commission to develop emission standards through a unit-by-unit analysis of each carbon dioxide generation plant within the state regardless of the number of turbines at each plant site.

In developing and implementing the emission standards for each existing source of carbon dioxide, the commission must consider, among other factors, the remaining useful life of the existing source to which the standard applies, consistent with specified federal regulations.

The commission must consider, consistent with its statutory duties to achieve the prevention, abatement, and control of air pollution by all commercially available and economically feasible methods, the overall economic impact from any and all emission standards and compliance schedules developed and implemented under specified federal regulations.

The commission may develop, on a unit-by-unit basis for individual existing sources and emissions of carbon dioxide at these existing sources, consistent with federal regulation, emission standards that are less stringent, but not more stringent, than applicable federal emission guidelines or longer compliance schedules than those required by federal regulations. This determination must be based on:

- (1) Unreasonable cost of control resulting from plant age, location, or basic process design;
- (2) Physical impossibility of installing necessary control equipment; or
- (3) Other factors specific to the existing source or class of existing sources that make application of a less stringent standard or final compliance time significantly more reasonable.

If any provision of the bill or the application thereof to any individual or circumstance is held invalid, the invalidity must not affect other provisions or applications of the bill that can be given effect without the invalid provision or application and to this end these provisions are declared to be severable.

##### **WASTEWATER DISCHARGE PERMITS (Section 644.058)**

The bill modifies the authority of the Clean Water Commission so that it may only revise water quality standards upon completion of an assessment by the Department of Natural Resources finding that there is an environmental need for the revision. In implementing revised water quality standards modifications of 25% or more, the department must conduct an evaluation which includes the environmental and economic impacts of the revised water quality criteria on a subbasin basis. The evaluation is to be conducted at the eight-digit hydrologic unit code level. The department must use these evaluations in making individual site-specific permit decisions.

##### **PUBLICLY OWNED TREATMENT WORKS (Section 644.145)**

Currently, when issuing a water pollution permit that incorporates a new requirement for discharges from a publicly owned treatment works facility, the department must make a finding of affordability on

the costs to be incurred and the impact of any rate changes on ratepayers. The bill defines “finding of affordability” and modifies the definition of “affordability.” The department must file an annual report by the beginning of the fiscal year with the Governor and specified members of the General Assembly with required information on the findings of affordability completed in the previous calendar year.

#### **SS SB 668 -- ORAL CHEMOTHERAPY PARITY**

Beginning January 1, 2015, this bill requires any health benefit plan that provides coverage for cancer treatment to provide coverage of prescribed orally administered anticancer medications at least as favorably as intravenously administered or injected anticancer medications. Coverage of orally administered medication must not be subject to any prior authorization, dollar limit, co-payment, deductible, or other out-of-pocket expense that does not apply to intravenously administered or injected cancer medication, regardless of the formulation or benefit category determination by the company administering the plan. A change in coverage that increases the out-of-pocket costs of anticancer medication must be applied to the majority of comparable medical or pharmaceutical benefits covered by the plan.

The total amount paid by a covered person must not be more than \$75 for a 30-day supply of any orally administered anticancer medication. On January 1, 2016, and on January 1 of each year thereafter, a health plan may adjust the limit but it cannot exceed the federal Consumer Price Index for that year. When a health benefit plan meets the specified definition of a “high deductible health plan,” the provisions of the bill will only apply after a covered person’s deductible has been satisfied for the year.

#### **CCS#2 HCS SCS SB 672 -- POLITICAL SUBDIVISIONS**

This bill changes the laws regarding political subdivisions.

#### **COUNTY PROPERTY (Section 49.266, RSMo)**

Currently, the county commission in first, second, and fourth classification counties may promulgate reasonable regulations concerning the use of county property. The bill allows the county commission in all noncharter counties to promulgate the regulations.

#### **PROSECUTING ATTORNEYS (Sections 56.067 - 56.816)**

The bill specifies that the county commission in Cedar County may, or must upon a voter petition

with the specified number of signatures, submit to the voters a proposition to change the full-time county prosecutor position to a part-time position.

If the prosecutor position is changed to a part-time position, the county’s retirement contribution to the retirement system and the retirement benefit earned by the prosecutor must prospectively be that of a part-time prosecutor.

#### **LAW ENFORCEMENT OFFICER IMMUNITY (Section 57.095)**

A sheriff or any other law enforcement officer must have immunity from any civil or criminal liability while conducting service of process at the direction of any court to the extent that the officer’s actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.

#### **INSTALLATION OF FIRE SPRINKLERS (Section 67.281)**

Currently, a builder of one- or two-family dwellings must offer the purchaser the option to have fire sprinklers installed at the purchaser’s cost. The bill extends the expiration date of these provisions from December 31, 2019, to December 31, 2024.

#### **JEFFERSON COUNTY MUNICIPAL COURTS (Section 67.320)**

The bill updates the legal description of Jefferson County to its current description in the provisions that allow Jefferson and Franklin counties to prosecute a violation of a county order in a county municipal court.

#### **INITIATIVE PETITIONS IN THE CITY OF SAVANNAH (Sections 79.130 and 79.135)**

The bill allows voters in the City of Savannah to submit a proposed ordinance to the board of aldermen by petition signed by at least 10% of the city’s registered voters voting for mayor at the last municipal election. Once the petition has been certified by the city clerk that the petition is signed by the requisite number of voters, the board of aldermen must either pass the ordinance within 20 days or submit the question to the voters at the next municipal election or, if the petition has been signed by 25% or more of the registered voters, the board of aldermen must immediately submit the question to the voters. The ordinance must become a valid and binding ordinance if it receives approval from a majority of the voters. Any ordinances in effect that was proposed by petition cannot be repealed except by a vote of the people. The board may amend an ordinance proposed by petition without a vote of the people but the original purpose of the ordinance may not be changed by the amendment.

#### LICENSE FEE IN THE CITIES OF EDMUNDSON AND FLORDELL HILLS (Section 94.270)

Currently, the cities of Edmundson and Flordell Hills are authorized to levy a license fee on hotel and motel rooms of up to \$27 per room per year. The bill allows the cities to impose a license fee of up to \$13.50 per room per year.

#### COURT VOLUNTEERS (Section 105.1415)

The bill specifies that any person who performs unpaid volunteer work in the office of a judge or prosecutor must not be considered an employee of the county or municipality.

#### PUBLIC FINANCIAL INCENTIVES (Section 135.980)

The bill prohibits the City of St. Louis from imposing a restriction by ballot measure on any public financial incentive authorized by statute for a business involved in bituminous coal and lignite surface mining.

This provision expires on December 31, 2017.

#### PUBLIC LIBRARY DISTRICT SALES TAX (Section 182.802)

The bill adds Saline County to the list of counties within which the board of directors of a public library district may, by majority vote, impose a sales tax of up to one-half of one cent on all retail sales for the purpose of funding the operation and maintenance of public libraries within the boundaries of the district. The tax will not become effective unless approved by a majority of the voters of the district.

#### AMBULANCE DISTRICT DETACHMENT (Section 190.088)

The bill allows the City of Riverside to file with the ambulance district's board of directors a notice of intention of detachment stating that an area located in both the city and the district is to be excluded and taken from the district. After filing the notice, the city must conduct a public hearing. The bill specifies the notice requirements the city must follow in regard to the public hearing. After the hearing, the governing body of the city may approve the detachment by enacting an ordinance with the approval of two-thirds of the board of aldermen.

Upon the effective date of the ordinance, the ambulance district must no longer provide services to the detached area and may no longer collect property taxes on property in the area. The bill requires the city, on or before January 1 of the second calendar year after the property was detached, to pay the ambulance district a fee equal to the amount of revenue that would have been generated during the previous year by the ambulance district's tax on

the property in the area. For the next four years, the city must pay a gradually decreasing fee to the district.

These provisions do not apply to St. Louis County.

#### COUNTY HEALTH OFFICERS (Section 192.310)

Currently, cities with a population of 75,000 or more that maintain a county health department are exempt from specified laws regarding county health officers and local and state health rules. The bill adds the City of St. Charles to the exemption.

#### LATERAL SEWER SERVICE LINE REPAIRS (Section 249.424)

The bill allows a sewer district established and organized under Chapter 249 to impose a fee of up to \$36 per year on specified residential property for the repair of lateral sewer service lines upon the approval by a majority of voters in the district and the adoption of a resolution by the sewer district's board of trustees. The fee cannot be imposed on property in the district that is within any city, town, village, or unincorporated area of a county that already imposes a fee for a sewer line repair program. Voters in an area that already imposes a fee are not eligible to vote on the question of whether the sewer district can impose the fee.

The bill allows the county collector to add the lateral sewer service fee to property owners' tax bills.

If a city, town, village, or county imposed a fee for a lateral sewer line repair program but later rescinds it, the sewer district may submit the question to the registered voters owning property within the sewer district on whether to impose the fee.

#### FARM-TO-SCHOOL PROGRAM (Sections 262.960, 262.962, and 348.407)

The Farm-to-School Program is established within the Department of Agriculture to connect Missouri farmers and schools to provide schools with locally grown agricultural products for inclusion in school meals and snacks and to strengthen local farming economies. The department must designate an employee to administer the program and to serve as liaison between farmers and schools. The departments of Health and Senior Service and Elementary and Secondary Education and the Office of Administration must provide staff support. The duties of the department employee coordinating the program must include establishing and maintaining a website database, providing leadership to encourage schools to procure and use locally grown agricultural products, conducting workshops and training sessions and providing



technical assistance regarding the program, and seeking additional financial sources to support the program.

The bill establishes the Farm-to-School Taskforce under the AgriMissouri Program, which must include at least one representative from each of the following agencies: the University of Missouri extension service, the Department of Agriculture, the Department of Elementary and Secondary Education, and the Office of Administration. The Director of the Department of Agriculture must appoint two persons actively engaged in the practice of small agribusiness. The Director of the Department of Elementary and Secondary Education must appoint two persons from schools who direct a food service program. The taskforce's mission is to provide recommendations for strategies that allow schools to more easily incorporate locally grown agricultural products into their food service and allow schools to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts. The taskforce must review various food service contracts to identify standardized language that could be included in contracts to allow schools to more easily procure and use locally grown agricultural products. The taskforce must prepare a report with its findings and recommendations and submit it to the Governor, the General Assembly, and the director of each agency on the taskforce by December 31, 2015. These provisions will expire on December 31, 2015.

The Missouri Agricultural and Small Business Development Authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in schools.

#### COMMERCIAL ZONE IN THE CITY OF COLUMBIA (Section 304.190)

The bill establishes a commercial zone in the City of Columbia. A vehicle operating within the zone cannot exceed 15 feet in height or have a weight greater than 22,400 pounds on one axle. The commercial zone extends north from the city limits along U.S. Highway 63 for eight miles and east from the city limits along State Route WW to the intersection of State Route J and continues south on State Route J for four miles.

#### FIRE PROTECTION DISTRICT ANNEXATION PROCEDURES (Section 321.322)

The bill repeals the provision exempting Harrisonville from the specified procedures

regarding the annexation by a city of property located within the boundaries of a fire protection district and requires the city to be subject to the provisions regarding the annexation by a city with a population of 2,500 to 65,000.

#### MISSOURI REAL ESTATE APPRAISERS COMMISSION (Sections 339.507 and 339.531)

The bill specifies that members of the Missouri Real Estate Appraisers Commission appointed after August 28, 2014, must not be from the same congressional district and requires the commission to submit by April 1 an annual report to the General Assembly outlining business conducted during the previous year that includes specified information.

The bill establishes procedures for an individual to file a complaint with the commission regarding a licensed appraiser. The bill requires the commission to appoint a probable cause committee to review the complaints. The bill specifies the procedures for the review and investigation of the complaint, including notice requirements for the licensee. If the probable cause committee determines that the grievance has merit, it must present the case to the commission, and the commission must decide whether to proceed with an investigation. If the commission decides to investigate, the complaint must become part of the licensee's record. The bill specifies the procedures for the commission's investigation, including notification procedures. These provisions must not be construed as limiting or delaying any administrative remedies or actions available through the administrative hearing process.

These provisions become effective August 28, 2015.

#### SPECULATIVE ACCUMULATION OF ASPHALT SHINGLES (Section 407.1610)

The bill specifies that it must be unlawful for any person or entity to accumulate asphalt roofing shingles in the City of St. Louis without a showing that at least 75% of the material will be recycled for other use in a calendar year.

#### GARNISHMENTS (Sections 408.040, 488.305, and 525.040 - 525.310)

A judgment must accrue interest on the judgment balance, which is the total amount of the judgment awarded on the day the judgment is entered including, but not limited to, principal, prejudgment interest, and all costs and fees. Post-judgment payments or credits must be applied first to post-judgment costs, then to post-judgment interest, and then to the judgment balance.

In a case where a garnishment is granted, the circuit court clerk may charge and collect a surcharge of up to \$10 for the clerk's duties. Any moneys collected from this surcharge must be placed in a fund to be used to maintain and improve case processing and record preservation.

The bill specifies that in the case of a continuous wage garnishment, a notice of garnishment served as required by law must have the effect of attaching all personal property, money, rights, or other choses in action of the defendant until the judgment is paid in full or the employment relationship is terminated, whichever occurs first.

Writs of garnishment which would otherwise have equal priority must have priority according to the date of service, and if the employee's wages have been attached by more than one writ of garnishment, the employer must inform the inferior garnisher of the other garnishments.

When applicable, a garnishee may discharge himself or herself by paying the money or giving the property owed to the defendant to the attorney for the party on whose behalf the order of garnishment was issued. The court may order the delivery of the defendant's property possessed by the garnishee to the attorney for the party on whose behalf the order of garnishment was issued.

The bill allows the garnishee to deduct up to \$20 or a fee previously agreed upon between the garnishee and judgment debtor if the garnishee is a financial institution for his or her trouble and expenses in answering the interrogatories and withholding the funds. The garnishee may file a motion with the court for additional costs incurred in answering the interrogatories.

The bill modifies provisions regarding the issuance of a writ of sequestration. Currently, the wages of state government employees are not subject to direct garnishment but must be collected under a process called sequestration. The bill specifies that the state, municipal, or other political subdivision employer must have the same duties and obligations as a private employer when served with a garnishment. The bill repeals provisions requiring a writ of sequestration when the judgment debtor is an employee of the state, municipality, or other political subdivision and specifies that all garnishments against the employees must proceed in the same manner as any other garnishment.

The provisions of the bill regarding garnishments become effective January 15, 2015.

## SS SB 673 -- EMPLOYMENT SECURITY

*(Vetoed by the Governor)*

This bill changes the laws regarding employment security.

### UNEMPLOYMENT BENEFITS

Currently, the maximum duration for an individual to receive unemployment benefits is 20 weeks. The bill specifies that the duration of benefits payable during any benefit year must be limited to:

(1) 20 weeks if the Missouri average unemployment rate is 9% or higher;

(2) 19 weeks if the Missouri average unemployment rate is between 8 1/2% and 9%;

(3) 18 weeks if the Missouri average unemployment rate is 8% up to and including 8 1/2%;

(4) 17 weeks if the Missouri average unemployment rate is between 7 1/2% and 8%;

(5) 16 weeks if the Missouri average unemployment rate is 7% up to and including 7 1/2%;

(6) 15 weeks if the Missouri average unemployment rate is between 6 1/2% and 7%;

(7) 14 weeks if the Missouri average unemployment rate is 6% up to and including 6 1/2%; and

(8) 13 weeks if the Missouri average unemployment rate is below 6%.

"Missouri average unemployment rate" means the average statewide unemployment rate during the three months of the most recent third calendar year quarter.

### UNEMPLOYMENT COMPENSATION TRUST FUND

Currently, when the average balance of the Unemployment Compensation Trust Fund, less any federal advances, is between \$600 million and \$750 million, an employer's contribution rate is reduced by 7% for the following year. The bill changes that threshold to between \$720 million and \$870 million. Currently, when the average balance of the fund exceeds \$750 million, an employer's contribution rate is reduced by 12% for the following year unless the employer's calculated contribution rate is 6% or greater, in which case the reduction may be no more than 10%. The bill changes that threshold to \$870 million.

In the event that the amount of moneys owed by the fund for total advancements by the federal government exceeds \$300 million, the bill requires the Board of Unemployment Fund Financing to meet

to consider authorizing the issuance, sale, and delivery of credit instruments under Section 288.330, RSMo, for the entire amount of the debt owed. If credit instruments are issued, the required interest assessment must continue to be paid and used to fully finance the instruments and must be paid at the same rate applicable at the time of issuance for all subsequent years until the instruments are fully financed.

### **SCS SB 675 -- MISSOURI LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM**

*(Vetoed by the Governor)*

This bill allows a political subdivision who is an employer having a retirement plan for its employees that is similar to the Missouri Local Government Employees' Retirement System (LAGERS) to enter into an agreement with the board of the system to assume all duties and responsibilities of operating the political subdivision's prior plan if the political subdivision is a current employer in LAGERS or will become a member employer in LAGERS and the subdivision has made an election to cover any new employees going forward under the system.

The employer's prior plan must be administered as a frozen prior plan by LAGERS and must continue to operate under its existing governing documents in all other respects. The employer will continue to have sole responsibility for the full funding of its prior plan including all related expenses. If any employer fails to make any payment due under the prior plan, it will be delinquent and the amount of the delinquency will constitute a first lien on the funds of the political subdivision, and the State Treasurer and Director of the Department of Revenue must withhold all moneys due the political subdivision from the state until the amount plus interest is paid.

### **HCS SCS SB 680 -- PUBLIC ASSISTANCE BENEFITS**

This bill changes the laws regarding public assistance benefits. In its main provisions, the bill:

(1) Requires the Department of Social Services to establish, subject to federal approval, a pilot program in at least one rural and one urban area to provide Supplemental Nutrition Assistance Program (SNAP) participants with access and the ability to purchase specified fresh food at a participating farmers' market or vending urban agricultural zone. A participant must be able to purchase the fresh food with SNAP benefits with an electronic benefit transfer (EBT) card and receive a dollar-for-dollar match for every SNAP dollar spent in an amount up to \$10 per week. Purchases of approved fresh food under these provisions must automatically trigger

matching funds reimbursement into the central vendor accounts by the department. The funding of the program is subject to appropriation, and the department may apply for available grants and must be able to accept donations to develop and maintain the program (Section 208.018, RSMo);

(2) Changes the prohibition for recipients of temporary assistance for needy families (TANF) or SNAP benefits on the use of any funds in any EBT transaction in specified establishments to include the prohibition on the purchase of alcoholic beverages, lottery tickets, or tobacco products in those establishments and items determined by Department of Social Services' rule to be primarily marketed for or used by adults 18 years of age or older and not in the best interests of the child or household (Section 208.024.1);

(3) Prohibits the owner or proprietor of specified businesses from knowingly accepting TANF or SNAP benefits on the use of any funds in any EBT transaction of specified prohibited purchases and the owner or proprietor of specified establishments providing adult-oriented entertainment from adopting any policy that encourages, permits, or acquiesces its employees to knowingly accept EBT cards for a prohibited purchase. However, the owner or proprietor of a business other than a liquor store, casino, or adult-oriented entertainment establishment is not required to check the source of payment from every individual who makes specified purchases (Section 208.024.2);

(4) Requires any recipient of TANF or SNAP benefits who does not make at least one EBT transaction within the state during a 90-day period to have his or her benefit payments to the EBT account temporarily suspended pending an investigation by the department to determine if he or she is no longer a Missouri resident. If the department finds that the recipient is no longer a Missouri resident, it must close the recipient's case. A recipient may appeal the closure to the department director. A recipient who does not make an EBT transaction within the state for 60 days must be given notice of the possibility of the suspension of funds if a transaction is not made within 30 days after the date of the notice (Sections 208.024.3 and 208.024.4);

(5) Allows the department to use other information besides a urine screening to establish reasonable cause to believe an applicant for or recipient of TANF benefits is engaged in illegal drug use and repeals the provision requiring an automatic administrative hearing after testing positive for a controlled substance or refusing to submit to a test. The applicant or recipient may request an administrative hearing by the department (Section 208.027);

(6) Requires the department to reimburse a hospital for donor human milk provided to a MO HealthNet participant if the participant is a critically ill infant under three months of age in the neonatal intensive care unit, the physician orders the milk, the department determines it is medically necessary, the parent or guardian signs an informed consent form, and the donor milk is obtained from a donor bank that meets the department's quality guidelines. An electronic web-based prior authorization system must be used to verify medical need (Section 208.141);

(7) Requires the department to implement an automated process to ensure an applicant applying for a public assistance benefit program is eligible for the program. The automated process must be designed to periodically review any current beneficiary to ensure he or she is still eligible for any benefit he or she is receiving. The system must check applicant and recipient information against multiple sources of information through an automated process (Section 208.238); and

(8) Allows an exemption under the federal Personal Responsibility and Work Opportunity Act of 1996 to an individual who has pled guilty or nolo contendere to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance to be eligible for food stamp benefits if the individual, as determined by the department, is currently successfully participating in, is currently accepted for treatment but is on a waiting list for treatment and remains enrolled and enters the program at the first available opportunity, has satisfactorily completed a substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Public Safety, or has been determined by a division-certified treatment provider not to need substance abuse treatment; is successfully complying or has already complied with all obligations imposed by the court, the Division of Alcohol and Drug Abuse, and the Division of Probation and Parole; does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance offense after release from custody or, if not committed to custody, the person does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance offense within one year after the date of conviction; and has demonstrated sobriety through voluntary urinalysis testing paid for by the participant. The individual must meet all other factors for food stamp program eligibility. The exemption must not apply to an individual who has pled guilty or nolo contendere to or is found guilty of two subsequent felony offenses involving

possession or use of a controlled substance after the date of the first controlled substance felony conviction (Section 208.247).

The provisions of the bill regarding the pilot program allowing public assistance recipients to purchase fresh produce at farmers' markets will expire six years after the effective date.

#### **SB 689 -- SALE OF INTOXICATING LIQUOR**

Currently, an "original package" as it applies to a permit authorizing the sale of malt liquor must be construed as any package containing three or more standard bottles of beer. The bill changes it to any package containing one or more standard bottles, cans, or pouches of beer.

The bill becomes effective January 1, 2015.

#### **SB 690 -- GREENE COUNTY EMERGENCY TELEPHONE SERVICE 911 BOARD**

Currently, any emergency telephone service 911 board appointed by the governing body of Greene County under Section 190.309, RSMo, and in existence on the date the sales tax authorized in Section 190.335 is approved by the voters will continue to exist and will have the powers authorized for emergency services boards under Section 190.339. This bill specifies that if a board existed prior to August 25, 2010, it must not be considered a body corporate and a political subdivision of the state for any purpose unless the county commissioners unanimously adopt an order reclassifying the board as such and transferring the assets and liabilities related to the operation of the emergency service 911 system to the new entity created by the reclassification.

#### **HCS SS SB 691 -- INSURANCE POLICIES**

Currently, when an insurance policy is canceled due to nonpayment of premium at least 10 days' notice of cancellation must be given. This bill specifies that the notice must contain the following notice or a notice that is substantially similar in bold conspicuous type:

**"THIS POLICY IS CANCELED EFFECTIVE AT THE DATE AND TIME INDICATED IN THIS NOTICE. THIS IS THE FINAL NOTICE OF CANCELLATION WE WILL SEND PRIOR TO THE EFFECTIVE DATE AND TIME OF CANCELLATION INDICATED IN THIS NOTICE."**

The bill also allows an insurer to reinstate a policy at any time after the notice of cancellation is issued if the reason for the cancellation is remedied and specifies the communications the insurer may send to the insured.

Beginning January 1, 2015, the bill permits an authorized insurer to issue a policy specifically for sinkhole losses under the Missouri Basic Property Insurance Inspection and Placement Program. Coverage must be only for habitational structures and must not cover driveways or nonhabitational detached structures. Coverage of the contents must apply only when the habitational structure is covered by sinkhole loss and does not include loss of the value of the land or the costs associated with filling the sinkhole. Specific procedures for sinkhole loss claims investigation and expedited claims may be developed by insurers in addition to regulations covered under the program.

### **CCS#2 HCS SB 693 -- TAXATION**

*(Vetoed by the Governor)*

This bill changes the laws regarding taxation.

#### **RECREATION AND COMMUNITY CENTER DISTRICT (Section 67.585, RSMo)**

The bill authorizes the creation of a recreation and community center district in an area encompassed by the Liberty School District. The district may impose a sales tax of up to .5% on sales in the district. The sales tax must be approved by a majority of the inhabitants of the district voting on the question. Revenues derived from the sales tax may only be used for the construction, maintenance, and operation of a community center and for other recreation and wellness purposes. The sales tax may not be terminated until after all of the bonds secured by the tax have been retired.

#### **PERRY COUNTY TRANSIENT GUEST TAX (Section 67.1367)**

The bill authorizes the governing body of Perry County to impose, upon voter approval, a transient guest tax of up to 6% per room per night to be used solely for the promotion of tourism.

#### **TAX INCREMENT FINANCING (Section 99.845)**

The bill adds taxes imposed on sales for capital improvements in certain counties imposed after August 28, 2013, for the purpose of funding emergency communication systems to the list of taxes excluded from the requirement that 50% of the taxes be deposited into a separate segregated account within a special allocation fund.

Beginning August 28, 2014, the bill exempts any additional revenues generated within an existing redevelopment project area from an increase in a property tax levy or a sales or use tax rate that is approved after the adoption of a redevelopment project from being subject to deposit into a special

allocation fund without the consent of the taxing district.

#### **WINE AND GRAPE PRODUCERS TAX CREDIT (Section 135.700)**

For the taxable years beginning on August 28, 2014, the total amount of tax credits allowed under the wine and grape producers tax credit cannot exceed \$200,000 annually. The bill also allows purchases of used equipment to qualify for the tax credit.

#### **INFORMATION REQUESTS BY THE ST. LOUIS COUNTY ASSESSOR (Section 137.133)**

Any correspondence by the St. Louis County Assessor with a taxpayer must include in bold, 14-point font a statement that disclosure of the information requested is voluntary and not required by law and that any information disclosed may become public record. This provision does not apply to a request for information regarding the required listing of property or listing of lessees.

#### **FACILITATING BUSINESS RAPID RESPONSE TO STATE DECLARED DISASTERS ACT (Sections 143.041 - 143.191, 144.610, and 190.270 - 285.234)**

The Facilitating Business Rapid Response to State Declared Disasters Act is established. An out-of-state business that is responding to a declared state disaster or emergency or any of its out-of-state employees are not subject to specified state or local employment, licensing, or registration requirements, including registration with the Secretary of State; withholding or income tax registration, filing, or remitting requirements; and use tax on equipment used or consumed if the equipment does not remain in the state after the disaster period unless the out-of-state business or employee remains in Missouri after the conclusion of the disaster period. An out-of-state business includes a business that is affiliated with a registered business solely through common ownership if that entity does not have any registrations, tax filings, or nexus in the state before the declared disaster or emergency. A prior registration as an out-of-state business for a declared disaster or emergency must not be considered a registration in this state. The employees of an out-of-state business who are responding to a declared disaster in Missouri are not required to file and pay state or local income taxes, to be subject to tax withholdings, or to pay any state or local fee unless the employee remains in Missouri after the conclusion of the disaster period.

The out-of-state business must provide assistance in repairing, renovating, installing, or building

infrastructure related to the declared disaster or emergency; notify the Secretary of State within 10 days of entering the state; and provide specified information. The Secretary of State must provide the information to the Department of Revenue within 30 days after receipt of the notification.

These provisions cannot grant the exemptions authorized by the act to any out-of-state business that is performing work pursuant to a request for bid or request for proposal by a state agency or political subdivision.

Specified provisions regarding the tax clearance, financial assurance, and unemployment insurance requirements of a transient employer must not apply to an out-of-state business responding to a disaster in Missouri.

#### ALLOCATION OF INTERSTATE INCOME FOR CORPORATE TAX PURPOSES (Section 143.451)

Currently, in determining what portion of a corporation's income is taxable in Missouri, the business may use a method whereby the ratio of instate sales to total sales is multiplied by the net income. A method for determining whether sales of tangible property are to be considered instate is already established in current law. The bill specifies a process for all other sales.

For sales of real property or rentals of tangible personal property, the portion of the property sold or rented that is located in this state must be considered an instate sale. For sales of service, the portion of the benefits delivered to purchasers in this state must be considered an instate sale.

For rentals or licenses of intangible property, the portion used in this state by the rentee or licensee must be considered an instate sale. Intangible property used for marketing must be considered used in this state if the good or service being marketed is purchased by a consumer in this state. Franchise fees or royalties for intangible property must be considered used in this state if the franchise is located in this state.

For sales of intangible property, the portion of the sale used in this state must be considered an instate sale. If the sale is for the right to conduct business activity in a certain geographic area, the sale must be considered instate if the geographic area is in this state. If receipts for sales of intangible property are dependent on use or productivity, the sale must be considered a lease or rental of intangible property. All sales of intangible property other than the right to conduct business in a specific area or sales with receipts contingent on productivity or use must be excluded from the sales factor when determining corporate income tax.

If it cannot be determined or reasonably approximated that a sale occurs in this state, the sale must be excluded from the sales factor for corporate income taxation.

#### SALES TAX EXEMPTIONS (Sections 144.030, 144.044, and 144.1030)

The bill exempts from the state and local sales and use taxes:

(1) The titling of a motor vehicle with a model year of at least 10 years prior to the year in which the motor vehicle is being titled. This exemption cannot apply to the titling of a motor vehicle with a sales price of more than \$15,000;

(2) The sale of a used manufactured home; and

(3) The amount paid that results in the first opportunity to purchase or decline tickets to events at the Sprint Center in Kansas City but does not itself result in admission.

#### HCS SS SB 694 -- PAYDAY LOANS

*(Vetoed by the Governor)*

This bill changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans. In its main provisions, the bill:

(1) Increases the annual licensing fee for each payday lender location from \$300 to \$500;

(2) Specifies that returned check costs are collection expenses and not to be considered a fee or charge;

(3) Requires a lender to conspicuously post in the office lobby the fee that is currently being charged in terms of dollars charged per \$100 loaned;

(4) Repeals the provisions allowing a lender to renew a loan up to six times upon request and requiring a 5% reduction of the original principal amount at each renewal but allows a borrower to pay any outstanding loan by means of an extended payment plan (EPP) that, at a minimum:

(a) Prohibits the borrower from entering into more than one EPP in a 12-month period with the same lender;

(b) Requires the borrower to agree in a signed written document to repay the amount owed in four equal installments or less over an aggregate term of 60 days or less if the borrower receives bi-monthly paychecks or an aggregate term of 120 days or less if the borrower receives monthly paychecks. Interest must not accrue during the term of the EPP;

(c) Allows a borrower to prepay an EPP in full at any time without penalty, but allows a lender to immediately accelerate the unpaid loan balance

upon the failure of a borrower to pay the amount owed when due;

(d) Prohibits a lender from extending an additional loan until an EPP is paid in full;

(e) Requires a lender to conspicuously post in the office lobby a notice that the borrower may participate in an EPP and that brochures are available at the counter containing the terms and conditions of the program; and

(f) Requires a borrower to invoke the EPP on the day before the due date of the loan by signing an amendment to the original agreement reflecting the new payment schedule;

(5) Prohibits a lender from charging any additional interest or fees if a borrower fails to make full payment upon the expiration of the original loan or EPP;

(6) Requires a lender that offers a payday loan through the Internet to Missouri residents to be licensed in Missouri and to comply with specified provisions as all other lenders unless compliance is preempted by federal law;

(7) Requires a lender to implement procedures to inform consumers of the intended use of the payday loan as specified in the bill;

(8) Reduces the maximum amount of accumulated interest and fees a borrower can be required to pay from 75% of the initial loan amount to 35% of the loan amount;

(9) Prohibits a lender from threatening or causing to be instigated criminal proceedings against a borrower if a check given as security for a loan is dishonored, except where the borrower closed the account on which the check was written or has stopped payment of the check. Any lender that knowingly violates this prohibition must pay the affected borrower three times the amount of the dishonored check;

(10) Requires lenders to comply with the applicable restrictions and prohibitions in the federal Fair Debt Collection Practices Act regarding harassment or abuse, false or misleading misrepresentations, and unfair collection practices; and

(11) Requires the Division of Finance within the Department of Insurance, Financial Institutions and Professional Registration to report required information on payday loans to the General Assembly annually on January 1 instead of the current biennial reporting requirement.

## **SB 701 -- ELEMENTARY AND SECONDARY EDUCATION**

This bill changes the laws regarding elementary and secondary education.

### **SCHOOL ACCOUNTABILITY REPORT CARDS (Section 160.522, RSMo)**

Each school district may include the data from a charter school located within the district in its annual accountability report card if the school board of the district and the charter school reach a mutual agreement for the inclusion of the data and the terms of the agreement are approved by the State Board of Education. The charter school cannot be required to be a part of the local education agency of the school district and may maintain a separate local educational agency status.

### **SCHOOL SUPERINTENDENTS (Section 168.205)**

Two or more school districts may share a superintendent who possesses a valid Missouri superintendent's license without seeking approval from the Department of Elementary and Secondary Education.

### **FARM-TO-SCHOOL PROGRAM (Sections 262.960 - 348.407)**

The Farm-to-School Program is established within the Department of Agriculture to connect Missouri farmers and schools to provide schools with locally grown agricultural products for inclusion in school meals and snacks and to strengthen local farming economies. The department must designate an employee to administer the program and to serve as liaison between farmers and schools. The departments of Health and Senior Services and Elementary and Secondary Education and the Office of Administration must provide staff support. The duties of the department employee coordinating the program must include establishing and maintaining a website database, providing leadership to encourage schools to procure and use locally grown agricultural products, conducting workshops and training sessions and providing technical assistance regarding the program, and seeking additional financial sources to support the program.

The bill establishes the Farm-to-School Taskforce under the AgriMissouri Program, which must include at least one representative from each of the following agencies: the University of Missouri extension service, the Department of Agriculture, the Department of Elementary and Secondary

Education, and the Office of Administration. The Director of the Department of Agriculture must appoint two persons actively engaged in the practice of small agribusiness. The Director of the Department of Elementary and Secondary Education must appoint two persons from schools who direct a food service program. The taskforce's mission is to provide recommendations for strategies that allow schools to more easily incorporate locally grown agricultural products into their food service and allow schools to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts. The taskforce must review various food service contracts to identify standardized language that could be included in contracts to allow schools to more easily procure and use locally grown agricultural products. The taskforce must prepare a report with its findings and recommendations and submit it to the Governor, the General Assembly, and the director of each agency on the taskforce by December 31, 2015. These provisions will expire on December 31, 2015.

The Missouri Agricultural and Small Business Development Authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in schools.

#### **CAREER AND TECHNICAL EDUCATION (Section 1)**

The Department of Elementary and Secondary Education is prohibited from penalizing any school district under the Missouri School Improvement Program if students who complete approved career and technical education programs are not placed in occupations directly relating to their training within six months of graduation. The department must revise its scoring guide under the program to provide additional points to districts that partner with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to enroll in a program of career and technical education while in high school, participate in and complete an internship or apprenticeship in their senior year, and obtain the applicable industry certification or credentials. The department must permit student scores from a nationally recognized examination that demonstrates achievement of workplace employability skills to count toward credit for college and career readiness standards on the program.

#### **SS SCS SB 706 -- BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT**

This bill prohibits a person from making a bad faith assertion of patent infringement in a demand letter

and specifies the factors that a court may consider when determining if a person has made a bad faith assertion of patent infringement in a demand letter and the factors that a court may consider when determining if a person has not made a bad faith assertion of patent infringement.

If an individual or entity believes that he or she has been a target of a bad faith assertion of patent infringement upon receiving a demand letter, the individual or entity must have a private right to a cause of action as specified in the bill, including the recovery of monetary losses or damages from a violation and attorney fees.

The Attorney General's authority to investigate, restrain, and prosecute civil actions under the Missouri Antitrust Law must apply to investigating and prosecuting assertions of patent infringement. Any monetary awards recovered by the Attorney General, except the award to a target, may be credited to the Antitrust Revolving Fund for the payment of expenses incurred by the Attorney General in the investigation, prosecution, or enforcement of patent infringement claims.

These provisions must not be construed to limit the rights or remedies available to any individual or the state under any other law with regard to conduct involving assertions of patent infringement and does not apply to a demand letter or assertion of patent infringement that includes a claim for relief arising under specified federal laws.

#### **CCS#2 HCS SCS SB 716 -- PUBLIC HEALTH**

This bill changes the laws regarding public health.

#### **MENINGOCOCCAL VACCINE (Section 174.335, RSMo)**

Currently, an institution of higher education must require all students residing in on-campus housing to sign a written waiver stating that the institution has provided the student or, if the student is a minor, his or her guardian or parent with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of the meningococcal vaccine. The bill repeals that requirement and requires all students residing in on-campus housing to have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution's administration. A medical exemption requires a signed certification by a physician licensed to practice in Missouri indicating that the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student must be exempted from



the requirement if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

#### CORD BLOOD COLLECTION (Section 191.761)

Beginning July 1, 2015, the Department of Health and Senior Services must provide a courier service to transport collected, donated umbilical cord blood samples to a nonprofit umbilical cord blood bank located in St. Louis City in existence as of the effective date of the bill. The collection sites must only be those facilities designated and trained by the blood bank in the collection and handling of umbilical cord blood specimens.

#### DIABETES CARE, CONTROL, AND PREVENTION (Section 191.990)

The MO HealthNet Division within the Department of Social Services and the Department of Health and Senior Services must collaborate to coordinate goals and benchmarks in each individual agency's plans to reduce the incidence of diabetes in Missouri, improve diabetes care, and control complications associated with diabetes. The division and the Department of Health and Senior Services must submit a report that includes specified information to the General Assembly by January 1 of each odd-numbered year.

The requirements of these provisions must be limited to diabetes information, data, initiatives, and programs within each agency prior to the effective date of these provisions unless there is unobligated funding for diabetes in each agency that may be used for new research, data collection, reporting, or other requirements.

#### SHOW-ME ECHO PROGRAM (Section 191.1140)

The bill requires, subject to appropriations, the University of Missouri to manage the Show-Me Extension for Community Health Care Outcomes (ECHO) Program. The Department of Health and Senior Services must collaborate with the university in utilizing the program to expand the capacity to safely and effectively treat chronic, common, and complex diseases in rural and underserved areas of the state and to monitor outcomes of the treatment. The program is designed to utilize current telehealth technology to disseminate knowledge of best practices for the treatment of chronic, common, and complex diseases from a multidisciplinary team of medical experts to local primary care providers who will deliver the treatment protocol to patients, which will alleviate the need of many patients to travel to see specialists and will allow patients to receive treatment more quickly. The program must utilize local community health care workers with

knowledge of local social determinants as a force multiplier to obtain better patient compliance and improved health outcomes.

#### ASSISTANT PHYSICIAN PRESCRIPTIVE AUTHORITY (Section 195.070)

The bill adds an assistant physician participating in a collaborative practice arrangement to the list of persons granted authority to prescribe, administer, and dispense controlled substances as authorized by statute.

#### IMMUNIZATIONS AGAINST INFLUENZA (Section 197.168)

Each hospital licensed under Chapter 197 must offer, prior to discharge and with the approval of the attending physician or other practitioner authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols pursuant to state hospital regulations, immunizations against influenza virus to all inpatients 65 years of age or older between October 1 and March 1 of each year in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention unless contraindicated for the patient and contingent upon the availability of the vaccine.

#### SHOW-ME HEALTHY BABIES PROGRAM (Section 208.662)

The Show-Me Healthy Babies Program is established within the Department of Social Services as a separate children's health insurance program for any low-income unborn child.

For an unborn child to be eligible for enrollment in the program, the mother of the child must not be eligible for coverage under Title XIX of the federal Social Security Act or the Medicaid Program as administered by the state and must not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. The unborn child must be in a family with income eligibility of no more than 300% of the federal poverty level or the equivalent modified adjusted gross income unless the income eligibility is set lower by the General Assembly through appropriations. When calculating family size as it relates to income eligibility, the family must include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.

Coverage for an unborn child enrolled in the program must include all prenatal care and pregnancy-related services that benefit the health of the unborn child and promote healthy labor,

delivery, and birth. Coverage does not need to include services that are solely for the benefit of the pregnant mother, are unrelated to maintaining or promoting a healthy pregnancy, and provide no benefit to the unborn child.

The bill specifies that there must not be a waiting period before an unborn child may be enrolled in the program. Coverage must include the period from conception to birth and the department must develop a presumptive eligibility procedure for enrolling an unborn child.

Coverage for the child must continue for up to one year after birth unless otherwise prohibited by law or limited by the General Assembly through appropriations. Coverage for the mother is limited to pregnancy-related and postpartum care beginning on the day the pregnancy ends and extends through the last day of the month that includes the sixtieth day after the pregnancy ends unless otherwise prohibited by law or limited by the General Assembly through appropriations. The department must provide coverage for an unborn child enrolled in the program in the same manner in which the department provides coverage for the Children's Health Insurance Program in the county of the primary residence of the mother.

The department must provide information about the program to maternity homes, pregnancy resource centers, and other similar agencies and programs in the state that assist unborn children and their mothers. The department must consider allowing these agencies and programs to assist in enrolling unborn children in the program and in making determinations about presumptive eligibility and verification of the pregnancy.

Within 60 days after the effective date of these provisions, the department must submit a state plan amendment or seek any necessary waivers from the federal Department of Health and Human Services requesting approval for the program.

At least annually, the Department of Social Services must prepare and submit a report to the Governor, the Speaker of the House of Representatives, and the President Pro Tem of the Senate analyzing and projecting the cost savings and benefits, if any, to the state, counties, local communities, school districts, law enforcement agencies, correctional centers, health care providers, employers, other public and private entities, and persons by enrolling unborn children in the program. The bill specifies the information that must be included in this analysis.

The program must not be deemed an entitlement program, but instead must be subject to a federal allotment or other federal appropriations and

matching state appropriations.

The state is not obligated to continue the program if the allotment or payments from the federal government end or are not sufficient for the program to operate or if the General Assembly does not appropriate funds for the program.

These provisions must not be construed as expanding MO HealthNet or fulfilling a mandate imposed by the federal government on the state.

#### ASSISTANT PHYSICIANS (Sections 334.035 and 334.036)

The bill establishes provisions for the licensing of an assistant physician. An assistant physician is any medical school graduate who is a resident and citizen of the United States or is a legal resident alien; has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of the steps of any other board-approved medical licensing examination within the two-year period immediately preceding application for licensure as an assistant physician, but in no event more than three years after graduation from a medical college or osteopathic medical college; has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent as specified in the bill; and has proficiency in the English language.

An assistant physician collaborative practice arrangement must limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice. For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, an assistant physician must be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS) and no supervision requirements in addition to the minimum federal law must be required.

The licensure of assistant physicians must take place within processes established by rules of the State Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration. An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by Section 334.100 or the other standards of conduct set by the board by rule.

An assistant physician must clearly identify himself or herself as an assistant physician and must be

permitted to use the terms “doctor,” “Dr.,” or “doc.” An assistant physician is prohibited from practicing or attempting to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in these provisions and in an emergency situation. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

The provisions of Section 334.037, governing collaborative practice agreements, must apply to all assistant physician collaborative practice arrangements. To be eligible to practice as an assistant physician, a licensed assistant physician must enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and must not have more than a six-month time period between arrangements during his or her licensure period. Any renewal of licensure under these provisions must include verification of actual practice under a collaborative practice arrangement during the immediately preceding licensure period.

#### ASSISTANT PHYSICIAN COLLABORATIVE PRACTICE ARRANGEMENTS (Section 334.037)

A physician may enter into a collaborative practice arrangement with an assistant physician. A collaborative practice arrangement must be in the form of a written agreement, jointly agreed-upon protocols, or standing orders for the delivery of health care services. A collaborative practice arrangement may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of the health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician. The arrangement must contain specified provisions.

The State Board of Registration for the Healing Arts must promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. The rules must specify geographic areas to be covered; the methods of treatment that may be covered by collaborative practice arrangements; in conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which must facilitate the advancement of the assistant physician's medical knowledge and capabilities and which may lead to credit toward a future residency program for programs that deem the documented

educational achievements acceptable; and the requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under these provisions must be subject to the approval of the State Board of Pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under these provisions must be subject to the approval of the Department of Health and Senior Services and the State Board of Pharmacy. The State Board of Registration for the Healing Arts must promulgate rules applicable to assistant physicians that must be consistent with guidelines for federally funded clinics. The rulemaking authority granted under these provisions must not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in Chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

The bill prohibits the State Board of Registration for the Healing Arts from denying, revoking, suspending, or otherwise taking disciplinary action against a collaborating physician for health care services delegated to an assistant physician if these provisions and the rules promulgated under these provisions are satisfied.

Within 30 days of any change and on each renewal, the State Board of Registration for the Healing Arts must require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into the arrangement. The board may make the information available to the public. The board must track the reported information and may routinely conduct random reviews of the arrangements to ensure that they are carried out for compliance under Chapter 334.

A collaborating physician is prohibited from entering into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. The limitation must not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in Chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

The collaborating physician must determine and document the completion of at least a one-month period of time during which the assistant physician must practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. The limitation must not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008. An agreement made under these provisions cannot supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in Section 197.020 if the protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

A contract or other agreement cannot require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician must have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. A contract or other agreement cannot limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but the requirement must not authorize a physician in implementing the protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff. A contract or other agreement cannot require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician must have the right to refuse to collaborate, without penalty, with a particular physician.

All collaborating physicians and assistant physicians in collaborative practice arrangements must wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges must prominently display the licensure status of the collaborating physicians and assistant physicians.

#### PHYSICIAN ASSISTANTS AS MO HEALTHNET PROVIDERS (Section 334.735)

The bill specifies that the provisions of Section 334.735.5 must not be construed to prohibit a physician assistant from enrolling with the Department of Social Services as a MO HealthNet provider while acting under a supervision agreement between a physician and the physician assistant.

#### PHARMACIST-ADMINISTERED IMMUNIZATIONS (Section 338.010)

The bill specifies that the "practice of pharmacy" also includes the administration of hepatitis A, hepatitis B, diphtheria, tetanus, and pertussis vaccines by written protocol authorized by a physician for individuals 12 years of age or older. In addition to other requirements established by the joint promulgation of rules by the Board of Pharmacy and the State Board of Registration for the Healing Arts, a pharmacist must administer vaccines in accordance with the treatment guidelines established by the Centers for Disease Control and Prevention, request a patient to remain in the pharmacy for a safe amount of time after administration of a vaccine to observe any adverse reactions, and receive additional training for the administration of vaccines as required by the Board of Pharmacy. Within 14 days of administering a vaccine, a pharmacist must provide specified information regarding the immunization to the patient's primary health care provider if provided by the patient.

#### HEALTH INSURANCE BENEFIT DETERMINATIONS (Section 376.1363)

Currently, a health carrier is required to make an initial health insurance benefit determination within two working days of obtaining all necessary information regarding a proposed admission, procedure, or service requiring a review determination. The bill changes the time period to within 36 hours, which must include one working day, of obtaining the information.

#### ABUSE INVESTIGATIONS OF VULNERABLE PERSONS (Section 630.167)

Currently, the Department of Mental Health and the Department of Health and Senior Services must initiate an investigation within 24 hours of receipt of a report of suspected abuse of a patient, resident, or client of a specified facility, program, or service. The bill requires the Department of Mental Health to complete all investigations within 60 days unless good cause for the failure to complete the investigation is documented.

For investigations alleging neglect of a patient, resident, or client, the guardian of the patient, resident, or client must be notified of the investigation, be given an opportunity to provide information to the investigators, be notified of the results of the investigation within five working days of the completion of the investigation, and be notified of the decision of the Department of Mental Health of the results of the investigation.

The Department of Mental Health must obtain two independent reviews of all patient, resident, or client deaths that it investigates.

#### MEDICAL CLINICS IN MEDICALLY UNDERSERVED AREAS (Section 1)

The Department of Health and Senior Services must establish and administer a program to increase the number of medical clinics in medically underserved areas. A county or municipality in this state that includes a medically underserved area as specified in the bill may establish a medical clinic in the medically underserved area by contributing start-up money for the medical clinic and having the contribution matched wholly or partly by grant moneys from the newly created Medical Clinics in Medically Underserved Areas Fund. The department is required to seek all available moneys from any source whatsoever including, but not limited to, health care foundations to assist in funding the program. A participating county or municipality that includes a medically underserved area may provide start-up money for a medical clinic over a two-year period. The department must not provide more than \$100,000 to the county or municipality in a fiscal year unless the department makes a specific finding of need in the medically underserved area. The department must establish priorities so that the counties or municipalities that include the neediest medically underserved areas eligible for assistance under these provisions are assured the receipt of a grant.

To receive a matching grant from the department, a county or municipality that includes a medically underserved area must apply for the matching grant and provide evidence satisfactory to the department that it has entered into an agreement or combination of agreements with a collaborating physician for the collaborating physician and assistant physician in accordance with a collaborative practice arrangement under Section 334.037 to provide primary care in the medically underserved area for at least two years.

The department is required to promulgate rules necessary for the implementation of these provisions, including rules addressing specified topics.

#### MENTAL HEALTH SCREENINGS AND ASSESSMENTS (Section 2)

The Department of Mental Health must develop guidelines for the screening and assessment of persons receiving services from the department that address the interaction between physical and mental health to ensure that all potential causes of changes in behavior or mental status caused by or

associated with a medical condition are assessed. These provisions must only apply to state-owned or -operated facilities and not to long-term care facilities licensed under Chapter 198, hospitals licensed under Chapter 197, or hospitals as defined in Section 197.020.

#### SB 719 -- SCHOOL PURCHASES

This bill prohibits any elected official, appointed official, or employee of any school district from performing a service or selling, renting, or leasing any property to the school district for more than \$500 per transaction or \$5,000 annually to him or her, to his or her spouse, to a dependent child in his or her custody, or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, if the bid or offer accepted is the lowest received.

Currently, any school board member, officer, or employee of a seven-director school district that is located in a first classification county who sells or provides certain commodities to the district is guilty of a class A misdemeanor and must forfeit his or her position with the district. The bill removes this prohibition and aligns seven-director districts located in a first classification county with the current law regarding seven-director districts located in second, third, and fourth classification counties so that any school board member, officer, or employee may sell or provide certain commodities to the district if he or she complies with specified conflict of interest provisions.

Currently, a school board cannot lease or rent a building to be used for school purposes while the district school is unoccupied. The bill allows an exception for lease agreements entered into under the provisions of Section 177.088, RSMo, regarding agreements with not-for-profit corporations.

Currently, a school district board, community college board, or college or university board for an institution organized under Chapter 174 may enter into an agreement with a not-for-profit corporation to acquire, construct, improve, extend, repair, remodel, or finance sites, buildings, facilities, furnishings, and equipment for the use of the institution for educational purposes. The bill repeals the requirement that it be a not-for-profit corporation and repeals the provision allowing the governing board of an educational institution to refinance any lease purchase agreement if it satisfies at least one of the specified conditions for the purpose of payment on any lease with a corporation for sites, buildings, facilities, furnishings, or equipment which the corporation has acquired or constructed.

**SCS SB 723 -- REVENUE BONDS**

Currently, there is a \$775 million cap on the amount of revenue bonds that may be issued by the State Board of Public Buildings for state office buildings. This bill raises the cap to \$1.175 billion. Any bonds that may be issued due to the increase in the cap amount must not be issued for construction of new buildings and must only be used for the repair or renovation of existing buildings and facilities, except that bonds may be used for the construction of a new mental health facility in Callaway County.

Currently, there is a \$175 million cap on the amount of revenue bonds that may be issued by the state board for projects at public institutions of higher education. The bill raises the cap to \$375 million. Any bonds that may be issued due to the increase in the cap amount must not be used for construction of new buildings and must only be used for the repair or renovation of existing buildings and facilities.

**HCS SB 727 -- FARMERS' MARKETS**

*(Vetoed by the Governor)*

This bill authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market. This exemption does not apply to any person or entity with an estimated total annual sales of \$25,000 or more from participation in farmers' markets.

The bill requires the Department of Social Services to establish, subject to federal approval, a pilot program in at least one rural and one urban area to provide Supplemental Nutrition Assistance Program (SNAP) participants with access and the ability to purchase specified fresh foods at a participating farmers' market or vending urban agricultural zone. A participant must be able to purchase the fresh food with SNAP benefits with an electronic benefit transfer (EBT) card and receive a dollar-for-dollar match for every SNAP dollar spent in an amount up to \$10 per week. Purchases of approved fresh food must automatically trigger matching funds reimbursement into the central farmers' market vendor accounts by the department. The funding of the program is subject to appropriation, and the department may apply for available grants and must be able to accept donations to develop and maintain the program.

The bill allows an individual who has pled guilty or nolo contendere to or is found guilty under federal or state law of a felony involving the possession or use of a controlled substance an exemption from the prohibition against eligibility for food stamp program benefits under the federal Personal Responsibility and Work Opportunity Act of 1996 if the individual, as

determined by the Department of Social Services, is currently successfully participating in a substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Mental Health, is currently accepted for treatment in a division-approved program but is on a waiting list for treatment and enrolls and enters the program at the first available opportunity, has satisfactorily completed a division-approved substance abuse treatment program, or is determined by a division-certified treatment provider not to need substance abuse treatment; is successfully complying or has already complied with all obligations imposed by the court, the Division of Alcohol and Drug Abuse, and the Division of Probation and Parole; does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance offense after release from custody or, if not committed to custody, the person does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance offense within one year after the date of conviction; and has demonstrated sobriety through voluntary urinalysis testing paid for by the participant. The person must meet all other factors for food stamp program eligibility. The exemption must not apply to an individual who has pled guilty to or is found guilty of two subsequent controlled substance felony offenses after the date of the first felony controlled substance conviction.

The provisions of the bill regarding the pilot program allowing public assistance recipients to purchase products at farmers' markets will expire six years after the effective date.

**CCS SCS SB 729 -- TAXATION**

This bill changes the laws regarding taxation.

**WOOD ENERGY PRODUCERS TAX CREDIT**  
(Section 135.305, RSMo)

The bill reauthorizes the provisions regarding the tax credit for a Missouri wood energy producer until June 30, 2020, and limits the total amount of all tax credits in any fiscal year to \$6 million. The tax credits cannot be authorized unless an appropriation is made for the credits.

**ALTERNATIVE FUEL VEHICLE REFUELING**  
**PROPERTY TAX CREDIT** (Section 135.710)

The bill reauthorizes the alternative fuel vehicle refueling property tax credit for all tax years beginning on January 1, 2015, but before January 1, 2018, for a person installing and operating an alternative fuel vehicle recharging or refueling property. The credit allowed per eligible applicant who is a private citizen must not exceed \$1,500 or must not exceed the lesser of \$20,000 or 20% of

the total eligible costs per eligible applicant that is a business entity. The cumulative amount of tax credits that may be claimed by eligible applicants cannot exceed \$1 million in any calendar year, subject to appropriations.

#### PROPERTY TAX ASSESSMENTS (Section 137.010)

The bill adds property used for the storage of liquid and gaseous products and propane and LP gas equipment to the definition of “real property” for the purpose of classifying property for property tax assessment.

#### RURAL REGIONAL DEVELOPMENT GRANTS (Section 620.750)

Subject to an appropriation not to exceed \$5 million each fiscal year, the Department of Economic Development must develop and implement rural regional development grants to qualified groups.

After a rural regional development group is awarded the grant, the group must:

- (1) Track and monitor job creation and investment in the region using quantitative measures that measure progress toward preestablished goals;
- (2) Establish a process for enrolling commercial and industrial development sites in the region in the state-certified sites program or maintain a list of state-certified commercial and industrial development sites in the region;
- (3) Measure the skills of the region's workforce;
- (4) Provide an organizational chart demonstrating that private businesses and local governmental and educational officials are involved in the group; and
- (5) Provide documentation of the group's financial activities for the current year.

A development group must not qualify for a grant if:

- (1) The group's region includes a county or portion of another state outside the State of Missouri; or
- (2) The group maintains an operating budget greater than \$250,000.

Grant applications must only be submitted by a regional planning commission on behalf of a group recognized by the commission as an economic development authority for the county that the authority represents.

A grant cannot exceed \$150,000 and no more than two grants can be awarded annually to a commission in each of the 19 regions created under Chapter 251.

The eligible amount of a grant for a group in operation for two years or more must provide or raise a \$1 match for every \$3 of state funds provided

by the grant, including the value of in-kind services, supplies, or equipment. The eligible amount of a grant for a group in operation for less than two years must provide or raise a \$1 match for every \$1 of state funds provided by the grant, including the value of in-kind services, supplies, or equipment.

The grant recipient must annually report to the Governor; the Director of the Department of Economic Development; the Committee on Commerce, Consumer Protection and the Environment of the Senate; the Committee on Economic Development of the House of Representatives; and any successor committees on the allocation of the grants and the purposes for which the funding was used.

#### INNOVATION CAMPUS TAX CREDIT ACT (Section 620.2600)

The Innovation Campus Tax Credit Act is established that authorizes, beginning January 1, 2015, a tax credit in an amount equal to 50% of an eligible donation to an innovation campus to be used solely for projects that advance learning in the areas of science, technology, engineering, and mathematics. An innovation campus is an educational partnership consisting of at least a Missouri high school or K-12 school district, a Missouri four-year higher education institution, a Missouri-based business, and a Missouri two-year public higher education institution or state technical college.

The tax credit is available for taxes imposed under Chapters 143, 147, or 148, excluding the withholding tax imposed by Sections 143.191 to 143.265.

The tax credit is not refundable but may be carried forward for four years or transferred. To claim the credit, an innovation campus may submit an application to the Department of Economic Development on behalf of taxpayers with a payment from the campus in an amount equal to the value of the tax credits. If the campus meets all the required criteria, the department must issue a certificate in the appropriate amount.

The provisions of the bill regarding the innovation campus tax credit will expire six years after the effective date.

#### SCS SB 731 -- NUISANCE ORDINANCES AND ACTIONS

*(Vetoed by the Governor)*

This bill changes the laws regarding nuisance ordinances and actions in specified counties and cities by:

- (1) Specifying that a parcel of property is a nuisance if it adversely affects the value of any property within a neighborhood and adds failure to

reasonably maintain the property or a violation of a county or municipal building ordinance to the list of actions by the owner of the parcel that determine it to be a nuisance. Currently, a parcel is a nuisance if it adversely affects the property values of a neighborhood due to specified reasons, including neglect or violation of a county or municipal building code or standard;

(2) Allowing only a property owner who lives within 1,200 feet of an alleged nuisance property to bring a nuisance action against the owner of the property. Currently, any person who owns property within a reasonable distance from the nuisance property may bring an action;

(3) Specifying that anyone who owns property within 1,200 feet of a property that is alleged to be a nuisance or a neighborhood organization on behalf of any individual who owns property within the boundaries of the organization and who could maintain a nuisance action or on its own behalf with respect to a nuisance on property anywhere within the boundaries of the organization may also bring an action for injunctive relief. Currently, a nuisance action for injunctive relief may only be brought by a neighborhood organization representing any individual who could maintain a nuisance action. An action cannot be brought until 60 days after the party who brings the action has sent written notice of intent to bring an action to the tenant and the property owner of record that includes specified information. When a neighborhood organization files a suit, an officer of the organization or its counsel must certify specified facts to the court;

(4) Adding a neighborhood organization in the City of St. Louis to the provisions allowing a neighborhood association in the City of Kansas City to bring a nuisance action. The bill revises the notice requirements for the action;

(5) Allowing a neighborhood organization in St. Louis City or Kansas City to seek injunctive relief on behalf of an owner or resident of property that is within 1,200 feet of a property on which there is a condition or activity constituting a code or ordinance violation in the neighborhood described in the articles of incorporation or the bylaws of the organization or on its own behalf with respect to a code or ordinance violation on property anywhere within the boundaries of the neighborhood. Currently, only a neighborhood organization representing persons aggrieved by a local code violation in the City of Kansas City may seek injunctive relief;

(6) Repealing the current prohibition on a nuisance action being brought against an owner of residential rental property by a neighborhood organization

unless the appropriate municipal code enforcement agency has issued a nuisance violation notice and it remains outstanding for at least 45 days and specifying that any action may not be brought unless the notice of violation has been pending for more than 45 days and the condition or activity that gave rise to the violation has not been abated;

(7) Prohibiting a neighborhood organization from bringing a nuisance action if the organization or any of its directors own real estate or have an interest in a trust, corporation, or other limited liability company that owns real estate in the city or county in which the nuisance property is located;

(8) Specifying that a copy of the notice of citation issued by the city that shows the date the citation was issued must be prima facie evidence of whether and for how long a citation has been pending against the property or the property owner;

(9) Repealing a provision specifying that specific provisions must not be construed as to grant standing for a nuisance action in the City of Kansas City in which the alleged nuisance action consists of an interior physical defect of a property or involving a violation of municipal alcoholic beverages laws; and

(10) Prohibiting a nuisance action for deteriorated property from being brought if the owner of the property that is the subject of the action is in good faith compliance with any order issued by the Department of Natural Resources, the United States Environmental Protection Agency, or the Office of the Missouri Attorney General.

## **SB 734 -- ELECTRIC COOPERATIVES**

This bill allows a member of a rural electric cooperative to participate in meetings electronically or by mail for the purpose of forming quorums and for voting if the cooperative's bylaws allow it.

## **SCS SB 735 -- CAMPGROUNDS**

This bill requires a campground owner to post in a high traffic area on the campground or distribute to registered guests or visitors of the campground the written policy on campground curfew, alcohol use, tobacco use, and pets.

A campground owner may eject any person from the campground and notify the appropriate local law enforcement authorities of any person who is not a registered guest or visitor of the campground; remains on the campground beyond an agreed-upon departure time and date; defaults in the payment of any lawfully imposed registration or visitor fee or charge; creates a disturbance that denies other people their right to quiet enjoyment



of the campground necessary for the preservation of public peace, health, and safety; or violates any federal, state, or local law. A person who remains on the campground after having been asked to leave by a campground owner for any of the specified reasons is guilty of trespass in the first degree and may be removed by the campground owner or a law enforcement officer. A person removed from a campground is entitled to a refund of the unused portion of any prepaid fees, less any amount owed to the owner or deducted for damages. The unused portion of prepaid fees may be prorated at a rate that is based upon the daily rate charged by the campground owner.

These provisions do not apply to any Missouri state park.

#### **SS SB 741 -- GAMING ESTABLISHMENT LINE OF CREDIT**

This bill authorizes a licensed gaming establishment to accept a credit instrument from a qualified individual in exchange for currency, chips, or tokens that can be wagered on games at the establishment. A “qualified person” means a person who has completed a credit application and who is determined by the licensee, after performing a credit check and establishing his or her creditworthiness, to qualify for a line of credit of at least \$10,000. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. All credit instruments must provide that any credit extended must be due no later than 30 days from the date credit is extended. A credit instrument must be considered an unsecured loan and not bear interest.

No credit can be extended to an intoxicated individual.

#### **SS SB 745 -- LAW ENFORCEMENT**

This bill changes the laws regarding law enforcement.

##### **DEPUTY SHERIFFS (Sections 57.015 - 57.250, RSMo)**

The bill specifies that a limited definition of “deputy sheriff” only applies to a provision regarding the dismissal proceedings for a deputy sheriff. Specified provisions regarding the ability of a sheriff to discharge a deputy sheriff are amended to refer to the limited definition of deputy sheriff.

##### **POWER TO ARREST (Section 544.216)**

Currently, a law enforcement officer may arrest on view, and without a warrant, any person the officer sees violating or who the officer has reasonable

grounds to believe has violated any law of this state or any ordinance over which the officer has jurisdiction. The bill clarifies that a law enforcement officer may only arrest a person without a warrant for a violation of any ordinance or law over which the officer has jurisdiction.

##### **SPECIAL PROSECUTORS (Section 571.030)**

The bill adds a special prosecutor who has completed the firearms safety training course to the list of individuals for whom specified provisions regarding the crime of unlawful use of weapons do not apply.

##### **CONCEALED CARRY PERMITS (Sections 571.101 - 571.111 and 650.350)**

Currently, a concealed carry permit is valid for five years from the date of issuance or renewal. The bill requires a concealed carry permit to be valid for five years from the last day of the month in which it was issued or renewed. A person who fails to renew his or her permit within the five years must not be eligible for an exception to a National Instant Criminal Background Check under specified regulations regarding the transfer, sale, or delivery of firearms from licensed dealers.

The provisions are repealed requiring an applicant for a concealed carry permit to take a certificate of qualification to the Department of Revenue within seven days of receipt and requiring the department to issue a new driver's or nondriver's license with the permit endorsement.

The bill changes the maximum size of the permit to no larger than 2 1/8 inches by 3 3/8 inches long.

The Missouri Sheriff Methamphetamine Relief Taskforce (MoSMART) must provide grants to sheriffs and any designee that is created to support sheriffs in the creation, maintenance, and operation of a statewide concealed carry permit system that is accessible to sheriffs and law enforcement agencies. Currently, sheriffs must report certain information regarding concealed carry permit holders to the Missouri Uniform Law Enforcement System (MULES). The bill requires the information to be reported to the new concealed carry permit system.

Currently, information reported and retained regarding concealed carry permits must not be batch processed for query. The bill specifies that information retained in the concealed carry system must not be distributed to any federal, state, or private entities; however, a sheriff may access the concealed carry permit system for administrative purposes to issue permits; verify permit holder

information; change the name or address of a permit holder; and suspend, revoke, or cancel a permit.

The official to whom a concealed carry endorsement or permit was surrendered when it is suspended or revoked must change the status of the endorsement or permit in the concealed carry system.

A concealed carry permit issued after August 28, 2013, must be suspended or revoked if the concealed carry permit holder becomes ineligible for the permit or endorsement as specified in the bill.

If the permit holder is convicted, the court must forward a notice of the conviction or action and the permit to the issuing county sheriff. The sheriff who issued the concealed carry permit must report the change in status to the concealed carry permit system.

The procedures for a permit holder to change his or her name or address are modified. Current law requires automatic invalidation of a permit or endorsement after 30 days if a permit holder has changed his or her name or address and not notified the sheriff. The bill specifies that the permit or endorsement is automatically invalid after 180 days and requires a person to notify the sheriff of a name or address change within 30 days. The sheriff must assess a late penalty of \$10 per month for each month, up to six months, if a person fails to make the notification.

Currently, an applicant for a concealed carry permit must perform a physical demonstration of his or her ability to safely load a revolver and a semiautomatic pistol, demonstrate his or her marksmanship with both firearms, and complete a live firing exercise and a live firing test with both firearms. The bill specifies that the applicant only needs to demonstrate an ability to safely load a revolver or a semiautomatic pistol, demonstrate his or her marksmanship with either firearm, and complete a live firing exercise and a live firing test with either firearm.

Currently, a qualified firearms safety instructor cannot have more than 40 students in a classroom. The bill specifies that an instructor cannot have more than 40 students per certified instructor in the classroom.

The sheriff of the county in which a firearms safety instructor resides must review an instructor's certificate along with the course outline and verify that the instructor is qualified and the course meets specified requirements. If the sheriff verifies that the instructor meets the qualifications, he or she must submit the registration to the taskforce which must create and maintain a statewide database of qualified

instructors. An instructor must register annually and the registration is only effective for the year in which the instructor registered. Any sheriff may access the database to verify that an instructor is qualified and the course meets specified requirements.

### **CCS HCS SS#2 SB 754 -- HEALTH CARE**

This bill changes the laws regarding health care.

STATE LEGAL EXPENSE FUND (Section 105.711, RSMo)

Currently, for the purposes of the State Legal Expense Fund a "free health clinic" means a nonprofit community health center exempt from federal taxation that provides primary care and preventative services to people without health insurance without charge. The bill changes the term "free health clinic" to "community health clinic" and removes the without charge requirement. The bill excludes specified federally funded community health centers and rural health clinics from the organizations that are eligible to receive payment of a claim from the fund.

MENINGOCOCCAL VACCINE (Section 174.335)

Currently, an institution of higher education must require all students residing in on-campus housing to sign a written waiver stating that the institution has provided the student or, if the student is a minor, his or her guardian or parent with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of the meningococcal vaccine. The bill repeals that requirement and requires all students residing in on-campus housing to have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution's administration. A medical exemption requires a signed certification by a physician licensed to practice in Missouri indicating that the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student must be exempted from the requirement if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

UMBILICAL CORD BLOOD COLLECTION  
(Section 191.761)

Beginning July 1, 2015, the Department of Health and Senior Services must provide a courier service to transport collected, donated umbilical cord blood samples to a nonprofit umbilical cord blood bank located in St. Louis City in existence as of the effective date of the bill. The collection sites must only be those facilities designated and trained by

the blood bank in the collection and handling of umbilical cord blood specimens.

#### DIABETES CARE, CONTROL, AND PREVENTION (Section 191.990)

The MO HealthNet Division within the Department of Social Services and the Department of Health and Senior Services must collaborate to coordinate goals and benchmarks in each individual agency's plans to reduce the incidence of diabetes in Missouri, improve diabetes care, and control complications associated with diabetes. The division and the Department of Health and Senior Services must submit a report that includes specified information to the General Assembly by January 1 of each odd-numbered year.

The requirements of these provisions must be limited to diabetes information, data, initiatives, and programs within each agency prior to the effective date of these provisions unless there is unobligated funding for diabetes in each agency that may be used for new research, data collection, reporting, or other requirements.

#### SHOW-ME ECHO PROGRAM (Section 191.1140)

The bill requires, subject to appropriations, the University of Missouri to manage the Show-Me Extension for Community Health Care Outcomes (ECHO) Program. The Department of Health and Senior Services must collaborate with the university in utilizing the program to expand the capacity to safely and effectively treat chronic, common, and complex diseases in rural and underserved areas of the state and to monitor outcomes of the treatment. The program is designed to utilize current telehealth technology to disseminate knowledge of best practices for the treatment of chronic, common, and complex diseases from a multidisciplinary team of medical experts to local primary care providers who will deliver the treatment protocol to patients, which will alleviate the need of many patients to travel to see specialists and will allow patients to receive treatment more quickly. The program must utilize local community health care workers with knowledge of local social determinants as a force multiplier to obtain better patient compliance and improved health outcomes.

#### MAMMOGRAPHY REPORTS (Section 192.769)

Beginning January 1, 2015, a mammography facility, upon completion of a mammogram, must provide to the patient a specified notice regarding dense breast tissue stating that if the mammogram demonstrates that the patient has dense breast tissue which could hide abnormalities and has other risk factors that have been identified, the patient

might benefit from a supplemental screening that may be suggested by the ordering physician.

These provisions must not be construed to create a duty of care beyond the duty to provide the notice required under the bill.

The information required by the bill or evidence that a person violated these provisions is not admissible in a civil, judicial, or administrative proceeding.

#### ASSISTANT PHYSICIAN PRESCRIPTIVE AUTHORITY (Section 195.070)

The bill adds an assistant physician participating in a collaborative practice arrangement to the list of persons granted authority to prescribe, administer, and dispense controlled substances as authorized by statute.

#### IMMUNIZATIONS AGAINST INFLUENZA (Section 197.168)

The bill requires each hospital licensed under Chapter 197 to offer, prior to discharge and with the approval of the attending physician or other authorized practitioner authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols pursuant to state hospital regulations, immunizations against influenza virus to all inpatients 65 years of age or older between October 1 and March 1 of each year in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention unless contraindicated for the patient and contingent upon the availability of the vaccine.

#### DONOR BREAST MILK (Section 208.141)

The Department of Social Services must reimburse a hospital for donor human milk provided to a MO HealthNet participant if the participant is a critically ill infant under three months of age in the neonatal intensive care unit, the physician orders the milk, the department determines it is medically necessary, the parent or guardian signs an informed consent form, and the donor milk is obtained from a donor bank that meets the department's quality guidelines. An electronic web-based prior authorization system must be used to verify medical need.

#### STATE CHILDREN'S HEALTH INSURANCE PROGRAM (Sections 208.631 - 208.646)

The bill removes references to the Uninsured Women's Health Program in the provisions regarding the State Children's Health Insurance Program (SCHIP).

Currently, the provisions regarding SCHIP define "uninsured children" as persons up to 19 years

of age who meet specified criteria or persons whose parent or guardian have not had access to affordable health care coverage for their children for six months prior to application for the program. The bill removes the requirement that the parent or guardian has not had access to coverage for six months prior to application. The bill changes the eligibility requirements for SCHIP by removing the requirement that the parent or guardian demonstrate annually that their total net worth does not exceed \$250,000 in total value. The bill changes, from six months to 90 days, the time that a child must be ineligible for SCHIP coverage after notification from the department when his or parent or guardian with an income of more than 250% of the federal poverty level fails to pay the required co-payment or premium.

#### SHOW-ME HEALTHY BABIES PROGRAM (Section 208.662)

The Show-Me Healthy Babies Program is established within the Department of Social Services as a separate children's health insurance program for any low-income unborn child.

For an unborn child to be eligible for enrollment in the program, the mother of the child must not be eligible for coverage under Title XIX of the federal Social Security Act or the Medicaid Program as administered by the state and must not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. The unborn child must be in a family with income eligibility of no more than 300% of the federal poverty level or the equivalent modified adjusted gross income unless the income eligibility is set lower by the General Assembly through appropriations. When calculating family size as it relates to income eligibility, the family must include in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.

Coverage for an unborn child enrolled in the program must include all prenatal care and pregnancy-related services that benefit the health of the unborn child and promote healthy labor, delivery, and birth. Coverage does not need to include services that are solely for the benefit of the pregnant mother, are unrelated to maintaining or promoting a healthy pregnancy, and provide no benefit to the unborn child.

The bill specifies that there must not be a waiting period before an unborn child may be enrolled in the program. Coverage must include the period from conception to birth and the department must

develop a presumptive eligibility procedure for enrolling an unborn child.

Coverage for the child must continue for up to one year after birth unless otherwise prohibited by law or limited by the General Assembly through appropriations. Coverage for the mother is limited to pregnancy-related and postpartum care beginning on the day the pregnancy ends and extends through the last day of the month that includes the sixtieth day after the pregnancy ends unless otherwise prohibited by law or limited by the General Assembly through appropriations. The department must provide coverage for an unborn child enrolled in the program in the same manner in which the department provides coverage for the Children's Health Insurance Program in the county of the primary residence of the mother.

The department must provide information about the program to maternity homes, pregnancy resource centers, and other similar agencies and programs in the state that assist unborn children and their mothers. The department must consider allowing these agencies and programs to assist in enrolling unborn children in the program and in making determinations about presumptive eligibility and verification of the pregnancy.

Within 60 days after the effective date of these provisions, the department must submit a state plan amendment or seek any necessary waivers from the federal Department of Health and Human Services requesting approval for the program.

At least annually, the Department of Social Services must prepare and submit a report to the Governor, the Speaker of the House of Representatives, and the President Pro Tem of the Senate analyzing and projecting the cost savings and benefits, if any, to the state, counties, local communities, school districts, law enforcement agencies, correctional centers, health care providers, employers, other public and private entities, and persons by enrolling unborn children in the program. The bill specifies the information that must be included in this analysis.

The program must not be deemed an entitlement program, but instead must be subject to a federal allotment or other federal appropriations and matching state appropriations.

The state is not obligated to continue the program if the allotment or payments from the federal government end or are not sufficient for the program to operate or if the General Assembly does not appropriate funds for the program.

These provisions must not be construed as expanding MO HealthNet or fulfilling a mandate imposed by the federal government on the state.

**MISSOURI Rx PLAN (Sections 208.790 and 208.798)**

The bill requires applicant household income limits for Missouri Rx Plan eligibility to be subject to appropriations, but in no event can an applicant have a household income that is greater than 185% of the federal poverty level for the applicable family size for the applicable year as converted to the modified adjusted gross income equivalent net income standard.

The bill changes the termination of the provisions regarding the Missouri Rx Plan from August 28, 2014, to August 28, 2017.

**ASSISTANT PHYSICIANS (Sections 334.035 and 334.036)**

The bill establishes provisions for the licensing of an assistant physician. An assistant physician is any medical school graduate who is a resident and citizen of the United States or is a legal resident alien; has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of the steps of any other board-approved medical licensing examination within the two-year period immediately preceding application for licensure as an assistant physician, but in no event more than three years after graduation from a medical college or osteopathic medical college; has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent as specified in the bill; and has proficiency in the English language.

An assistant physician collaborative practice arrangement must limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice. For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, an assistant physician must be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS) and no supervision requirements in addition to the minimum federal law must be required.

The licensure of assistant physicians must take place within processes established by rules of the State Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration. An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of

the standards as set forth by Section 334.100 or the other standards of conduct set by the board by rule.

An assistant physician must clearly identify himself or herself as an assistant physician and must be permitted to use the terms “doctor,” “Dr.,” or “doc.” An assistant physician is prohibited from practicing or attempting to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in these provisions and in an emergency situation. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

The provisions of Section 334.037, governing collaborative practice agreements, must apply to all assistant physician collaborative practice arrangements. To be eligible to practice as an assistant physician, a licensed assistant physician must enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and must not have more than a six-month time period between arrangements during his or her licensure period. Any renewal of licensure under these provisions must include verification of actual practice under a collaborative practice arrangement during the immediately preceding licensure period.

**ASSISTANT PHYSICIAN COLLABORATIVE PRACTICE ARRANGEMENTS (Section 334.037)**

A physician may enter into a collaborative practice arrangement with an assistant physician. A collaborative practice arrangement must be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. A collaborative practice arrangement may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of the health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician. The arrangement must contain specified provisions.

The State Board of Registration for the Healing Arts must promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. The rules must specify geographic areas to be covered; the methods of treatment that may be covered by collaborative practice arrangements; in conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of

educational methods and programs undertaken during the collaborative practice service which must facilitate the advancement of the assistant physician's medical knowledge and capabilities and which may lead to credit toward a future residency program for programs that deem the documented educational achievements acceptable; and the requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under these provisions must be subject to the approval of the State Board of Pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under these provisions must be subject to the approval of the Department of Health and Senior Services and the State Board of Pharmacy. The State Board of Registration for the Healing Arts must promulgate rules applicable to assistant physicians that must be consistent with guidelines for federally funded clinics. The rulemaking authority granted under these provisions must not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in Chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

The bill prohibits the State Board of Registration for the Healing Arts from denying, revoking, suspending, or otherwise taking disciplinary action against a collaborating physician for health care services delegated to an assistant physician if these provisions and the rules promulgated under these provisions are satisfied.

Within 30 days of any change and on each renewal, the State Board of Registration for the Healing Arts must require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into an arrangement. The board may make the information available to the public. The board must track the reported information and may routinely conduct random reviews of the arrangements to ensure that they are carried out for compliance under Chapter 334.

A collaborating physician is prohibited from entering into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. The limitation must not apply to

collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in Chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

The collaborating physician must determine and document the completion of at least a one-month period of time during which the assistant physician must practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. The limitation must not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008. An agreement made under these provisions cannot supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in Section 197.020 if the protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

A contract or other agreement cannot require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician must have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. A contract or other agreement cannot limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but the requirement must not authorize a physician in implementing the protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff. A contract or other agreement cannot require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician must have the right to refuse to collaborate, without penalty, with a particular physician.

All collaborating physicians and assistant physicians in collaborative practice arrangements must wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges must prominently display the licensure status of the collaborating physicians and assistant physicians.

#### PHYSICIAN ASSISTANTS AS MO HEALTHNET PROVIDERS (Section 334.735)

The bill specifies that the provisions of Section 334.735.5 must not be construed to prohibit a physician assistant from enrolling with the

Department of Social Services as a MO HealthNet provider while acting under a supervision agreement between a physician and the physician assistant.

#### PHARMACIST-ADMINISTERED IMMUNIZATIONS (Section 338.010)

The bill specifies that the “practice of pharmacy” also includes the administration of hepatitis A, hepatitis B, diphtheria, tetanus, and pertussis vaccines by written protocol authorized by a physician for individuals 12 years of age or older. In addition to other requirements established by the joint promulgation of rules by the Board of Pharmacy and the State Board of Registration for the Healing Arts, a pharmacist must administer vaccines in accordance with the treatment guidelines established by the Centers for Disease Control and Prevention, request a patient to remain in the pharmacy for a safe amount of time after administration of a vaccine to observe any adverse reactions, and receive additional training for the administration of vaccines as required by the Board of Pharmacy. Within 14 days of administering a vaccine, a pharmacist must provide specified information regarding the immunization to the patient’s primary health care provider if provided by the patient.

#### PHARMACISTS AND PHARMACIES (Sections 338.059 - 338.220)

The bill specifies that a licensed pharmacist or physician may label a prescription drug container using either a sequential number or other unique identifier.

The Department of Health and Senior Services must have sole authority and responsibility for the inspection and licensure of hospitals. However, the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration may inspect a class B hospital pharmacy, as defined in the bill, or any portion of it that is not under the inspection authority of the department to determine compliance with specified laws and rules. The department must have authority to promulgate rules in conjunction with the board governing medication distribution and the provision of medication therapy services by a pharmacist at or within a hospital. A pharmacist providing medication therapy services must obtain a certificate of medication therapeutic plan authority as provided by rule of the board. Medication therapy services may be provided by a pharmacist for patients of a hospital pursuant to a protocol with a physician or to a protocol approved by the medical staff committee. A medical staff protocol must include a process whereby an exemption to the protocol for a patient may be granted for clinical efficacy if

the patient’s physician makes the request and an appeals process to request a change in a specific protocol based on medical evidence presented by a staff physician.

Medication may be dispensed by a class B hospital pharmacy pursuant to a prescription or a medication order. A drug distributor license must not be required to transfer medication from a class B hospital pharmacy to a hospital clinic or facility for patient care or treatment. Medication dispensed by a class A pharmacy located in a hospital to a hospital patient for use or administration outside of the hospital must be dispensed only by a prescription order from an individual physician for a specific patient. Medication dispensed by a hospital to a hospital patient for use or administration outside of the hospital must be labeled as provided by rules jointly promulgated by the department and the board.

The board must appoint an advisory committee with specified members to review and make recommendations to the board on the merit of all rules and regulations to be jointly promulgated by the board and the department.

Upon application to the board, any hospital that holds a pharmacy permit or license on the effective date of the bill must be entitled to obtain a class B pharmacy permit or license without the payment of a fee if the application is submitted by January 1, 2015.

#### MEDICAL CLINICS IN MEDICALLY UNDERSERVED AREAS (Section 1)

The Department of Health and Senior Services must establish and administer a program to increase the number of medical clinics in medically underserved areas. A county or municipality in this state that includes a medically underserved area as specified in the bill may establish a medical clinic in the medically underserved area by contributing start-up money for the medical clinic and having the contribution matched wholly or partly by grant moneys from the newly created Medical Clinics in Medically Underserved Areas Fund. The department is required to seek all available moneys from any source whatsoever including, but not limited to, health care foundations to assist in funding the program. A participating county or municipality that includes a medically underserved area may provide start-up money for a medical clinic over a two-year period. The department must not provide more than \$100,000 to the county or municipality in a fiscal year unless the department makes a specific finding of need in the medically underserved area. The department must establish priorities so that the

counties or municipalities that include the neediest medically underserved areas eligible for assistance under these provisions are assured the receipt of a grant.

To be eligible to receive a matching grant from the department, a county or municipality that includes a medically underserved area must apply for the matching grant and provide evidence satisfactory to the department that it has entered into an agreement or combination of agreements with a collaborating physician for the collaborating physician and assistant physician in accordance with a collaborative practice arrangement under Section 334.037 to provide primary care in the medically underserved area for at least two years.

The department is required to promulgate rules necessary for the implementation of these provisions, including rules addressing specified topics.

#### **JOINT COMMITTEE ON EATING DISORDERS (Section 2)**

The Joint Committee on Eating Disorders is established composed of three members of the Senate appointed by the President Pro Tem, three members of the House of Representatives appointed by the Speaker, and three members appointed by the Governor as specified in the bill.

The committee must:

(1) Review issues pertaining to the regulation of insurance and other matters impacting the lives of those diagnosed with an eating disorder by taking public testimony from interested parties; and

(2) Consider and review the actuarial analysis conducted under Section 376.1192.

By December 31, 2014, the committee must provide a report to the members of the General Assembly and the Governor that includes recommendations for legislation pertaining to the regulation of insurance and other matters impacting the lives of those diagnosed with an eating disorder.

#### **SS SCS SB 767 -- HEALTH-RELATED AILMENT REGISTRY**

This bill allows any county, which includes the City of St. Louis, to create a voluntary registry of individuals with health-related ailments to assist these individuals in case of a disaster or emergency. A name, address, or any other personal identifying information used in a registry cannot be deemed a public record under the Open Meetings and Records Law, commonly known as the Sunshine Law. If a disaster or emergency occurs that involves any person listed on the registry, an incident report must be made public.

#### **SB 773 -- EMERGENCY SERVICE PROVIDERS**

This bill changes the laws regarding emergency service providers.

##### **GROUND AMBULANCES (Section 190.105, RSMo)**

The bill allows a first responder, firefighter, or law enforcement personnel with a valid driver's license and prior experience with driving emergency vehicles to drive a ground ambulance in certain emergency situations.

##### **EMERGENCY SERVICES BOARDS (Section 190.336)**

Each member of an emergency services board of directors must be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings for the recall may be commenced by the filing of a notice of intention to circulate a recall petition.

A member cannot be recalled if he or she has not held office during the current term for more than 180 days, has 180 days or less remaining in his or her current term, or has had a recall election determined in his or her favor within the current term.

The notice must be served personally or by certified mail on the board member and filed with the election authority. A separate notice must be filed for each member sought to be recalled and must contain information explaining the reason for the recall. It must list at least one but not more than five proponents of the recall. Within seven days after the filing of the notice, the board member may file with the election authority a statement answering the statement of the proponents. The answer must also be served on one of the named proponents. The statement and answer are intended solely to be used for the information of the voters.

The person circulating the petition must sign an affidavit verifying certain information. A recall petition must be filed with the election authority not more than 180 days after the filing of the notice of intention. The number of qualified signatures required must be equal to at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

Within 20 days from the filing of the petition, the election authority must determine whether the petition was signed by the required number of qualified signatures. It must file a certificate with the petition showing the results of the examination. If the election authority certifies that the petition does not have enough signatures, it may be supplemented within 10 days of the date of certification.

Within 10 days after the supplemental copies are filed, the election authority must certify whether or



not the petition as supplemented is sufficient. If it is insufficient, no action can be taken but the petition must remain on file.

If the election authority finds the signatures on the petition, or together with any supplemental signatures, to be sufficient, it must submit its certificate to the board of directors prior to its next meeting and order an election to be held not less than 45 days but not more than 120 days from the date the board receives the petition. A nomination for a board membership opening must be made by filing a statement of candidacy with the election authority.

Any time prior to 42 days before the election, the member sought to be recalled may offer his or her resignation, and the recall question must be removed from the ballot and the office declared vacant.

#### **SS SB 782 -- TEACHER CERTIFICATION**

This bill allows an individual who has been certified by the American Board for Certification of Teacher Excellence (ABCTE) to obtain a Missouri teacher certification in the area of elementary education upon the completion of 90 contact hours in the classroom, of which at least 30 must be in an elementary classroom.

#### **SCS SB 785 -- BOATING SAFETY IDENTIFICATION CARDS**

Currently, a nonresident of the state may be issued a one-time, temporary boating safety identification card to operate a rented vessel or a vessel being considered for sale for up to seven days. This bill allows the temporary card to be issued to any individual.

#### **HCS SB 794 -- INSURANCE REGULATION**

This bill changes the laws regarding insurance regulation.

#### **IRREVOCABLE LIFE INSURANCE TRUSTS**

Currently, a Missouri bank or trust company with authorized trust authority and created under state law with its principal place of business in Missouri is authorized to transfer fiduciary obligations consisting only of irrevocable life insurance trusts to the Missouri trust office of an out-of-state bank with trust powers or an out-of-state trust company. The bill allows any bank or trust company created under the laws of this or any other state or national bank with authorized trust authority to transfer those obligations to any bank or trust company with authorized trust authority.

#### **LIFE INSURANCE PRODUCERS**

The bill exempts certain life insurance producers dealing exclusively in life insurance policies and annuities designated for funeral or burial expenses with less than \$15,000 in face value from continuing education requirements. Currently, the exemption applies to a producer if the face value of the policy is less than \$5,000 for a policy for specific life insurance or less than \$10,000 for a policy designated for the payment of funeral or burial expenses.

#### **INSURANCE COMPANY SECURITIES INVESTMENTS**

The amount of specified securities of one or more subsidiaries that an insurance company can invest is increased from not more than 5% of the insurer's assets or 50% of the insurer's surplus to not more than 10% of the insurer's assets or 50% of the insurer's surplus.

#### **SB 796 -- MARRIAGE LICENSES**

Currently, both applicants for a marriage license must sign it in the presence of the county recorder of deeds or his or her deputy. This bill allows the recorder to issue a marriage license to an applicant who is unable to sign the application in his or her presence as a result of the applicant's incarceration or because the applicant has been called or ordered to active military service out of the state or country if specified documents are submitted.

The bill contains an emergency clause.

#### **HCS SCS SB 808 -- LICENSING OF SPECIFIED PROFESSIONS**

This bill changes the laws regarding the licensing of specified professions.

#### **HAIR BRAIDING**

The bill specifies that an employee or employer primarily engaged in the practice of combing, braiding, or curling hair without the use of potentially harmful chemicals must not be subject to the licensing requirements of cosmetologists or barbers under Chapter 329, RSMo, while working with a licensee for a public amusement or entertainment venue.

#### **SOCIAL SECURITY NUMBERS IN PROFESSIONAL LICENSING APPLICATIONS**

Currently, every application for a renewal of a professional license, certificate, registration, or permit must contain the applicant's Social Security number. The bill specifies that an application for a renewal only has to include a Social Security number when the original application did not contain

the applicant's Social Security number. After the initial or first renewal application that includes his or her Social Security number, all subsequent renewal applications must not contain the applicant's Social Security number.

#### PHYSICIAN ASSISTANTS

The bill specifies that the provisions of Section 334.735.5 must not be construed to prohibit a physician assistant from enrolling with the Department of Social Services as a MO HealthNet provider while acting under a supervision agreement between a physician and the physician assistant.

#### CLINICAL SOCIAL WORKERS

Currently, an applicant for licensure as a clinical social worker or advanced macro social worker must complete 3,000 hours of supervised experience within 48 months. The bill specifies that an applicant who has completed at least 4,000 hours of supervised experience within 48 calendar months must be eligible for application of licensure at 3,000 hours and must be furnished a certificate by the State Committee for Social Workers acknowledging the completion of the additional hours.

The bill specifies that a licensed master social worker must not practice independently the scope of practice reserved for clinical social workers or advanced macro social workers.

#### PRACTICE OF PHARMACY

The bill adds to the description of the "practice of pharmacy" the administration of hepatitis A, hepatitis B, diphtheria, tetanus, and pertussis vaccines by written protocol authorized by a physician for individuals 12 years of age or older. In addition to other requirements established by the joint promulgation of rules by the Board of Pharmacy and the State Board of Registration for the Healing Arts, a pharmacist must administer vaccines in accordance with the treatment guidelines established by the Centers for Disease Control and Prevention, request a patient to remain in the pharmacy for a safe amount of time after administration of a vaccine to observe any adverse reactions, and receive additional training for the administration of vaccines as required by the Board of Pharmacy. Within 14 days of administering a vaccine a pharmacist must provide specified information to the patient's primary health care provider if provided by the patient.

The bill specifies that a legally qualified pharmacist serving in the United States Armed Forces or employed by the United States government who does not hold him or herself out as a Missouri licensed pharmacist and who is engaged in the practice of

pharmacy while in the performance of official duties must not be required to have a Missouri pharmacist license.

A licensed pharmacist or physician may label a prescription drug container using either a sequential number or a unique identifier.

The Department of Health and Senior Services must have sole authority and responsibility for the inspection and licensure of hospitals. However, the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration may inspect a class B hospital pharmacy, as defined in the bill, or any portion of it that is not under the inspection authority of the department to determine compliance with specified laws and rules. The department must have authority to promulgate rules in conjunction with the board governing medication distribution and the provision of medication therapy services by a pharmacist at or within a hospital. A pharmacist providing medication therapy services must obtain a certificate of medication therapeutic plan authority as provided by rule of the board. Medication therapy services may be provided by a pharmacist to patients of a hospital pursuant to a protocol with a physician or a protocol approved by the medical state committee. A medical staff protocol must include a process whereby an exemption to the protocol for a patient may be granted for clinical efficacy if the patient's physician makes the request and an appeals process to request a change in a specific protocol based on medical evidence presented by a staff physician.

Medication may be dispensed by a class B hospital pharmacy pursuant to a prescription or a medication order. A drug distributor license must not be required to transfer medication from a class B pharmacy to a hospital clinic or facility for patient care or treatment. Medication dispensed by a class A pharmacy located in a hospital to a hospital patient for use or administration outside of the hospital must be dispensed only by a prescription order from an individual physician for a specific patient. Medication dispensed by a hospital to a hospital patient for use or administration outside of the hospital must be labeled as provided by rules jointly promulgated by the department and the board.

The board must appoint an advisory committee with specified members to review and make recommendations to the board on the merit of all rules and regulations to be jointly promulgated by the board and the department.

The bill defines a "class B hospital pharmacy" as a pharmacy owned, managed, or operated by a hospital or a clinic or facility under common control,

management, or ownership of the same hospital or hospital system. Upon application to the board, any hospital that holds a pharmacy permit or license on the effective date of the bill must be entitled to obtain a class B pharmacy permit or license without the payment of a fee if the application is submitted by January 1, 2015.

#### HEARING INSTRUMENT SPECIALISTS

The bill modifies the definition of “hearing instrument” or “hearing aid” by specifying that it is a wearable instrument or device that can provide more than 15 decibel full-on gain via a two cc coupler at any single frequency from 200 through 6,000 cycles per second.

#### HCS SCS SB 809 -- ARCHITECTS, ENGINEERS, AND SURVEYORS

This bill changes the laws regarding the licensure of architects, professional engineers, professional land surveyors, and professional landscape architects. In its main provisions, the bill:

(1) Changes the term “landscape architect” to “professional landscape architect” and adds definitions for the terms “design coordination,” “design survey,” “incidental practice,” and “responsible charge” (Section 327.011, RSMo);

(2) Changes the name of the board regulating these professionals in the Department of Insurance, Financial Institutions and Professional Registration to the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects (Section 327.031.1);

(3) Requires a person appointed to the board to have been engaged in the practice of the specified field as a Missouri licensee for at least 10 consecutive years immediately preceding the appointment. When a vacancy occurs on the board and the vacancy to be filled requires the appointment of an architect, the president of the American Institute of Architects/Missouri must submit to the Director of the Division of Professional Registration a list of five names to fill the vacancy (Sections 327.031.5 and 327.031.7);

(4) Repeals the provisions regarding the abolishment of the Landscape Architectural Council (Section 327.031.9);

(5) Increases the maximum compensation for a board member from \$50 to \$75 for each day devoted to the affairs of the board (Section 327.051);

(6) Requires professional architects, engineers, land surveyors, and landscape architects to be in responsible charge of specified work product that

can affect the health, safety, and welfare of the public within their scope of practice (Sections 327.091.2, 327.181, 327.191, 327.272.3, and 327.603);

(7) Specifies that licensing requirements must not apply to a person who renders architectural services when he or she renders the services in connection with a privately owned structure containing less than 2,000 square feet and which is not a part of a project which contains more than one structure. Currently, the requirements do not apply when a person renders architectural services in connection with a privately owned structure containing less than 20,000 cubic feet and which is not part of a project which contains more than one structure. The bill specifies that the requirements will also not apply to a person who remodels or repairs a privately owned multiple family dwelling containing three or four families if the alteration, renovation, or remodeling does not affect architectural or engineering safety features of the building (Section 327.101);

(8) Updates the name of the Canadian certification organization from the Canadian Architectural Councils to the Canadian Architectural Licensing Authorities and changes the name of the agreement between it and the National Council of Architectural Registration Boards (NCARB) from the Inter-Recognition Agreement to the Mutual Recognition Agreement as the provisions apply to an applicant for a license as an architect in Missouri who holds a valid license to practice architecture in Canada (Section 327.106);

(9) Repeals the requirement that an applicant for licensure as an architect to have acquired at least three years of satisfactory architectural experience and requires the applicant to hold a certified Intern Development Program record with the National Council of Architectural Registration Boards and have taken and passed all divisions of the Architect Registration Examination (Section 327.131);

(10) Repeals provisions requiring the board to inform in writing each applicant for licensure as an architect, engineer, professional land surveyor, or professional landscape architect of the time and place for the examination if an examination must be given at least once in each calendar year (Sections 327.151, 327.241, 327.331, and 327.617.1);

(11) Allows an applicant who fails to make the specified grade to apply for reexamination, by division, in accordance with the guidelines established by the National Council of Architectural Registration Boards or its successor and repeals the current provision allowing the applicant to take another examination no sooner than six months after the date of the failed examination (Section 327.161);

(12) Specifies that a license for an architect, engineer, land surveyor, or landscape architecture must expire on the renewal date, but may, within three months of the certificate renewal date or at the discretion of the board, upon payment of the required fee, have his or her license renewed. Currently, an architect, engineering, land surveyor, or landscape architecture license that is not renewed within three months of the renewal date must be suspended automatically and expires within nine months if the licensee fails to pay the reinstatement fee (Sections 327.171, 327.261, 327.351, and 327.621);

(13 ) Specifies that the practice as a professional engineer in Missouri also includes construction observation (Section 327.181.1);

(14) Allows an applicant for licensure as a professional engineer or professional land surveyor who fails to make the necessary examination grade to apply for reexamination in accordance with the guidelines established by the National Council of Examiners for Engineering and Surveying or its successor (Sections 327.251 and 327.341);

(15) Specifies that the practice of professional land surveying also includes the preparation of property descriptions, the survey and location of rights-of-ways and easements, and design surveys (Section 327.272.1);

(16) Repeals obsolete provisions regarding the job experience required for an applicant as a land surveyor-in-training (Section 327.314);

(17) Repeals the current professional development requirements in order for a land surveyor who holds an inactive license to return to active status and specifies that if a professional land surveyor licensee is granted inactive status, he or she may return to active license status by notifying the board, paying the appropriate fees, and meeting all other established requirements of the board. If an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting reactivation, he or she may be required to take the examination as the board deems necessary to determine his or her qualifications (Section 327.351);

(18) Repeals the provisions requiring the board to issue a license to any architect, professional engineer, professional land surveyor, or landscape architect who has been licensed in another state, in a territory or possession of the United States, or in another country if the board is satisfied by proof that the applicant's qualifications meet or exceed Missouri's requirements for initial licensure in Missouri at the time of the applicant's initial license and allows the board, in its discretion, to license one of these individuals when he or she

has qualifications that are at least equivalent to Missouri's requirements for licensure (Section 327.381);

(19) Repeals provisions requiring the board to issue a professional land surveying license to an individual with 20 years of experience who has passed specified examinations (Section 327.391);

(20) Specifies that each architect, professional engineer, professional land surveyor, and professional landscape architect must affix his or her personal seal to all final technical submissions including, but not limited to, drawings, specifications, plats, surveys, exhibits, reports, and certifications of construction prepared by the licensee or under the licensee's immediate personal supervision (Section 327.411);

(21) Defines "professional landscape architecture" as the performance of professional services in connection with the planning and design of land construction programs; master plans for land use and development; production of specified plans, construction details, specifications, and reports for land development, design coordination, construction observation; and the inspection of landscape architectural construction for compliance with drawings and specifications (Section 327.600);

(22) Requires an applicant for a professional landscape architect license to make a passing grade on each examination. The passing grade must be fixed by the board but must not exceed the current passing grade determined by the Council of Landscape Architectural Registration Boards (Section 327.617.3);

(23) Specifies that the provisions of the bill cannot be construed to require licensing of a person or corporation who is offering, but not performing or rendering, landscape architectural services if the person or corporation is licensed to practice landscape architecture in the state or country of residence or principal place of business (Section 327.629); and

(24) Repeals provisions allowing the board to license without examination any landscape architect certified in another state or territory of the United States if he or she has qualifications that are at least equivalent to the requirements in this state and provisions allowing the board to refuse to issue or renew a license of a landscape architect for specified causes (Sections 327.623 and 327.631).

#### **SB 812 -- ECONOMIC DEVELOPMENT OFFICE IN ISRAEL**

Subject to appropriation, this bill requires the Department of Economic Development to establish an office in Israel for promoting strategic

partnerships between Israel-based and Missouri-based companies. The partnerships must have the express purpose of strengthening and increasing the competitive edge of Missouri companies in the fields of agriculture, bio-technology, and other emerging fields. The staff of the department's office in Israel must work in conjunction with relevant business and trade organizations throughout Missouri to promote these purposes as well as bi-lateral trade in the region.

#### **SB 818 -- AVIATION TRUST FUND**

This bill adds airport business plans and strategic plans at existing airports to the permissible airport planning projects that may be paid for with moneys from the Aviation Trust Fund.

Currently, if at least \$6 million is deposited into the fund in the previous calendar year, up to \$2 million may be expended annually for the study or promotion of expanded domestic or international scheduled commercial service, the study or promotion of intrastate scheduled commercial service, or to assist airport sponsors participating in a federally funded air service program supporting intrastate scheduled commercial service. The bill changes that provision to specify that if at least \$4.5 million is deposited into the fund in the previous calendar year, no more than \$2 million may be spent for the study or promotion of expanded domestic or international scheduled commercial service, the study or promotion of intrastate scheduled commercial service, the promotion of aviation in the state, or to assist airport sponsors participating in a federally funded air service program supporting intrastate scheduled commercial service in any calendar year and the State Highways and Transportation Commission must be required to expend at least \$4 million of the annual deposits into the fund for purposes other than those specified.

#### **SCS SB 829 -- TAX LIABILITY DISPUTES**

*(Vetoed by the Governor)*

Currently, the Director of the Department of Revenue has the burden of proof with respect to any factual issue relevant to ascertaining the liability of a taxpayer in a tax liability dispute under specified circumstances. This bill repeals the burden of proof requirement when, in the case of a partnership, corporation, or trust, the net worth of the taxpayer does not exceed \$7 million and the taxpayer does not have more than 500 employees at the time the final decision of the department director is issued and only requires the department director to have the burden of proof if the taxpayer has produced evidence that establishes that there is a reasonable

dispute with respect to the tax issue and the taxpayer has adequate records of the transactions and provides the department reasonable access to the records.

Currently, the provisions of Section 136.300, RSMo, cannot apply to any issue with respect to the applicability of any tax exemption or credit. The bill removes the applicability of any tax exemption and specifies that the provisions cannot apply to any issue with respect to the applicability of any tax credit.

#### **SS SCS SB 841 -- ALTERNATIVE NICOTINE OR VAPOR PRODUCTS**

*(Vetoed by the Governor)*

This bill specifies that an individual or entity selling or distributing alternative nicotine products or vapor products is subject to the provisions regarding the sale or distribution of tobacco products including the prohibition of selling, providing, or distributing these products to an individual under 18 years of age. The bill requires alternative nicotine products or vapor products to be subject to local and state sales tax but not to be otherwise taxed or regulated as tobacco products.

Currently, a person may not sell cigarettes or tobacco products unless he or she has a retail sales tax license. The bill requires a seller of any alternative nicotine product or vapor product to have a license. On or before July 1 of each year, the Department of Revenue must make available a list of every establishment that sells these products to the Division of Liquor Control within the Department of Public Safety and the Department of Mental Health. The division must have the authority to inspect all stores for compliance with all laws related to access to these products by minors. The bill revises the provisions regarding the division supervisor's use of minors in an investigation to check for compliance to include alternative nicotine products or vapor products.

#### **SB 842 -- DIESEL FUEL INSPECTIONS**

Currently, the Director of the Department of Revenue or his or her agents or appointees may conduct inspections and remove samples of fuel for motor fuel tax purposes to determine the coloration of diesel fuel or to identify shipping paper violations at any place where motor fuel is or may be produced, stored, or loaded into transport vehicles. This bill prohibits the inspection and removal from any individual who is not holding the fuel for wholesale or retail sale and who is not located at specified facilities or locations unless the department director or his or her agents or appointees have reasonable

suspicion to believe that a violation under the provisions of Chapter 142, RSMo, is being committed at a location other than those specified.

#### **SB 844 -- SHARED WORK UNEMPLOYMENT COMPENSATION PROGRAM**

This bill changes the laws regarding the Shared Work Unemployment Compensation Program. In its main provisions, the bill:

(1) Revises the definition of “fringe benefit” as it applies to the program. Currently, fringe benefit includes a retirement benefit received under a pension plan. The bill specifies that it must be a retirement benefit received under a defined pension plan or contributions under a defined contribution plan as defined in the Internal Revenue Code;

(2) Changes the conditions under which the Division of Employment Security in the Department of Labor and Industrial Relations may approve a shared work plan by:

(a) Requiring the employer to certify that, if the participating employer provides fringe benefits to any employee in the affected unit, those benefits must continue to be provided to employees participating in the program under the same terms and conditions as though normal weekly hours of work had not been reduced or to the same extent as other employees not participating in the program;

(b) Requiring the shared work plan to include an estimate of the number of employees who would be laid off if the employer does not participate in the program;

(c) Requiring the plan to describe the manner in which employees in the affected unit will be notified of the employer’s participation in the program. If the employer will not provide advance notice, the plan must state why it is not feasible to provide advance notice;

(d) Requiring the employer to certify that participation in the plan and its implementation is consistent with the employer’s obligation under applicable federal and state law; and

(e) Requiring the plan to include any other provision that the United States Secretary of Labor determines to be appropriate for the purpose of the program;

(3) Repeals the provision prohibiting the division from approving a shared work plan that subsidizes employers when at least 50% of the employees have normal weekly hours of work of 32 hours or less;

(4) Clarifies that an individual otherwise entitled to receive unemployment compensation benefits

will be eligible to receive shared work benefits if the individual is able to work and available for his or her normal hours of work;

(5) Prohibits the division from denying shared work benefits for any week to an otherwise eligible individual by reason of the provisions of the unemployment compensation laws that relate to training that is approved by the division director;

(6) Repeals the provision specifying that an individual must be ineligible for shared work benefits for any week in which he or she performs paid work for the participating employer in excess of the reduced hours established under the plan; and

(7) Specifies that all benefits paid under a shared work plan that are chargeable to the participating employer or any other base period employer must be charged to the employers in the same manner as regular unemployment benefits are chargeable under Chapter 288, RSMo. Currently, all benefits paid under a shared work plan must be charged to the account of the participating employer under the plan.

If the United States Secretary of Labor determines any of the provisions of the shared work unemployment compensation laws to be nonconforming with federal law, the nonconforming provision must not affect the validity of the remaining provisions.

The bill contains an emergency clause.

#### **CCS HCS SCS SB 852 -- PUBLIC SAFETY**

This bill changes the laws regarding public safety.

##### **LAW ENFORCEMENT MUTUAL AID (Section 44.095, RSMo)**

The bill specifies that all law enforcement officers in the counties of Johnson, Leavenworth, Miami, and Wyandotte in the State of Kansas and the counties of Platte, Clay, Ray, Jackson, and Cass in the State of Missouri must be permitted to respond to a lawful request for aid in any of the counties when there is an incident that could result in serious physical injury or death. The bill specifies the procedure for a request.

In the event that an officer makes an arrest outside his or her home state, the offender must be delivered to the first officer who is commissioned in the jurisdiction in which the arrest was made.

The bill specifies that, for purposes of liability, all members of a political subdivision or public safety agency responding to an incident are deemed to be employees of the responding political subdivision or agency and are subject to the liability and workers’

compensation provisions provided to them as employees of their respective political subdivision or agency. Qualified immunity, sovereign immunity, official immunity, and the public duty rule must apply to the provisions of the bill as interpreted by the federal and state courts of the responding agency.

These provisions will not become effective until the State of Kansas has enacted legislation or has issued an executive order permitting the Kansas counties to enter into a similar mutual-aid agreement.

#### CORPORATE SECURITY ADVISORS (Sections 84.340, 571.030, and 590.750)

Currently, the St. Louis Board of Police Commissioners has the authority to regulate corporate security advisors in the City of St. Louis. The bill specifies that the Department of Public Safety must have the sole authority to regulate and license all corporate security advisors and that the authority and jurisdiction of a corporate security advisor must be limited only by the geographical limits of the state unless the advisor's license is recognized by another state or the federal government. Any corporate security advisor licensed as of February 1, 2014, is not required to apply for a new license until his or her license expires or is otherwise revoked.

The bill specifies that acting as a corporate security advisor without a license is a class A misdemeanor.

#### DEPARTMENT OF CORRECTIONS EMPLOYEES (Section 105.935)

The bill allows a Department of Corrections employee classified as a Corrections Officer I or Corrections Officer II who has accrued any overtime hours to use those hours as compensatory leave time if the leave time is available and agreed on by the employee and his or her supervisor. Compensatory time must be considered accrued on completion of time worked in excess of the employee's normal assigned shift and it will be the employee's decision whether to take the time off or request payment for the hours. An employee must have the right to retain up to 80 hours of compensatory time at any time during the year.

#### COMMUNICABLE DISEASES (Sections 191.630, 191.631, and 192.800 - 192.808)

Currently, a person who receives care from an emergency service provider and who has exposed the provider to blood or other potentially infectious materials must consent to a test for a contagious or infectious disease. The bill revises the provisions to include a person who receives care from a Good Samaritan and changes the term "contagious or infectious disease" to "communicable disease."

Currently, a hospital must have written policies and procedures for notifying an emergency care provider about the results from the test. The bill requires the policies and procedures to include notification to a Good Samaritan and a coroner or medical examiner to also have written policies and procedures for the notification of an emergency care provider or Good Samaritan. The hospital, coroner, or medical examiner must include local representation of a designated infection control officer during the process to develop or review the policies. The policies must be substantially the same as those in place for notification of hospital employees.

All emergency care providers must respond to and treat any patient regardless of the status of the patient's HIV or other communicable disease infection. Licensed ambulance services and emergency medical response agencies must establish and maintain local policies and provide training regarding exposure to patient blood and body fluids as well as general protection from communicable diseases. Hospitals, nursing homes, and other medical facilities and practitioners who transfer patients known to have a communicable disease or to be subject to an order of quarantine or an order of isolation must notify the emergency care providers who are providing the transportation services of the potential risk of exposure to a communicable disease, including communicable diseases of a public health threat.

The bill repeals Sections 192.800 - 192.808 regarding communicable disease notification to first responders and Good Samaritans.

#### LINE OF DUTY COMPENSATION ACT (Section 287.243)

Currently, under the provisions of the Line of Duty Compensation Act specified emergency personnel killed in the line of duty are eligible for certain workers' compensation benefits when the person's life is lost as a result of an injury received in the active performance of his or her duties within the scope of his or her profession while on duty and but for the performance, death would not have occurred.

The bill revises the standard for eligibility. Under the bill, an individual is eligible for compensation when:

(1) Death is caused by an accident or the willful act of violence of another;

(2) The individual is in the active performance of his or her duties and there is a relationship between the accident or commission of the act and the performance of duty, even when off duty; the

individual is traveling to or from employment; or the individual is taking a break while on duty;

(3) The injury is the cause of the death; and

(4) Death occurs within 300 weeks of the date the injury was received.

The bill extends the expiration date of the provisions of the act from June 19, 2015, to June 19, 2025.

#### SAFE CARE PROVIDER REIMBURSEMENT (Section 334.950)

The Department of Public Safety must establish rules and make payments to SAFE CARE providers who provide forensic examinations of persons under 18 years of age who are alleged victims of physical abuse out of appropriations made for that purpose. The department must establish maximum reimbursement rates that reflect the reasonable cost of providing the examination.

Only providers for forensic evaluations and case reviews may be reimbursed by the department. In order to provide reimbursement, the child must be the subject of a child abuse investigation or reported to the Children's Division within the Department of Social Services as a result of the examination.

The bill specifies that a minor may consent to the examination, the consent is not subject to disaffirmance because of his or her status as a minor, and parental consent is not required.

#### CRIMES AGAINST A MENTAL HEALTH EMPLOYEE OR PROPERTY (Section 632.520)

An offender ordered to the Department of Mental Health after being determined by a court to be a sexually violent predator who knowingly commits violence against an employee of the department or to another offender housed in a secure facility must be guilty of a class B felony. An offender who knowingly damages any building or other property owned or operated by the department is guilty of a class C felony.

#### FUNERAL PROCESSIONS (Section 300.320)

The bill repeals the provisions requiring a funeral procession to be identified by the display of a pennant or other identifying insignia on each vehicle.

#### CCS HCS SS SB 860 -- TAXATION

*(Vetoed by the Governor)*

This bill changes the laws regarding taxation.

In its main provisions, the bill:

(1) Requires any correspondence by the St. Louis County Assessor with a taxpayer to include in bold,

14-point font a statement that disclosure of the information requested is voluntary and not required by law and that any information disclosed may become public record. This provision does not apply to a request for information regarding the required listing of property or listing of lessees;

(2) Changes the provisions regarding the filing of withholding tax returns. Currently, an employer is allowed to file an annual withholding tax return instead of four quarterly returns when the aggregate amount withheld is less than \$20 in each of the four preceding quarters. The bill changes the amount to less than \$100 in each of the four preceding quarters if the employer is not otherwise required to file a withholding return on a quarterly or monthly basis;

(3) Authorizes a state and local sales and use tax exemption on the sale of a used manufactured home;

(4) Adds a graphing calculator with a value of \$150 or less to the list of items that are exempt from state sales tax during the annual sales tax holiday for school supplies;

(5) Removes the prohibition and allows a seller to advertise or state that the required sales tax will be assumed or absorbed into the price of the property sold or the service rendered if the amount of the tax is stated on the invoice or receipt; and

(6) Clarifies the limitations on sales tax refund claims by specifying that for a sales tax refund claim to be offset by the Department of Revenue, the offset or claim must have been assessed and the assessment must no longer be subject to appeal.

#### SS SB 866 -- TRADITIONAL INSTALLMENT LOAN LENDERS

*(Vetoed by the Governor)*

This bill specifies that any licensed traditional installment loan lender must be permitted to make loans and charge fees and interest as authorized by law and prohibits a charter provision, ordinance, rule, order, permit, policy, guideline, or other government action of any political subdivision of the state, local government, city, or county or any agency, authority, board, commission, or department of the entity from preventing, restricting, or discouraging a traditional installment loan lender from specified actions. These provisions cannot apply where a charter provision or valid ordinance as of August 28, 2014, expressly applies to traditional installment loan lenders. "Traditional installment loan" is defined as a fixed rate, fully amortized, closed-end extension of a direct consumer loan with specified exceptions.

The provisions of the bill must not apply to or preempt any ordinance governing an installment



lender or any amendment to any ordinance in the City of Kansas City.

### **HCS SS SB 869 -- CHILDREN**

This bill changes the laws regarding children. In its main provisions, the bill:

(1) Adds to the duties of the Joint Committee on Child Abuse and Neglect the task of making recommendations on how to improve abuse and neglect proceedings including examining the role of the judge, the Children's Division within the Department of Social Services, the juvenile officer, the guardian ad litem, and the foster parents (Section 21.771, RSMo);

(2) Authorizes the Office of Child Advocate within the Office of Administration to file any pleadings necessary to intervene on behalf of a child at the appropriate judicial level using the resources of the Office of the Attorney General (Section 37.710);

(3) Allows a foster parent who is employed by the state or a political subdivision to take leave time to arrange for the foster child's placement or care as an adopted parent is allowed and authorizes the state and political subdivisions to provide a leave sharing program for employees arranging for a foster or adopted child's placement or care. Donated annual leave, overtime, or compensatory leave time may be transferable between employees across departments, agencies, and political subdivisions with the agreement of the chief administrative officers of the departments, agencies, or political subdivisions (Section 105.271);

(4) Specifies that when the parent or guardian of a child enrolled in the State Children's Health Insurance Program (SCHIP) fails to meet the co-payment or premium requirements and has an income of more than 250% of the federal poverty level, the child must not be eligible for SCHIP coverage for 90 days after the department provides notice to the parent or guardian of the failure. Currently, the child is not eligible for six months after the notification (Section 208.646);

(5) Changes the laws regarding the rules and requirements of the Department of Social Services for child care providers who receive state or federal funds for providing fee assistance for child care services in their home (Section 210.027);

(6) Changes the laws regarding a child abuse or neglect investigation by the Children's Division within the department by:

(a) Increasing, from within 30 days to within 45 days, the time period in which the division must complete an investigation unless good cause for the failure is specifically documented in the information

system. Good cause includes the necessity to obtain relevant reports of medical professionals, law enforcement agencies, and third parties which have not been completed and provided to the division; there is specified written documentation that there is a pending criminal investigation of the incident and the issuing of a decision by the division will adversely impact the progress of the investigation; or the child victim, the subject of the investigation, or another witness with information relevant to the investigation is unable or temporarily unwilling to provide complete information within the specified time frames;

(b) Specifying that if a child fatality or near-fatality is involved, the investigation must remain open until the division's investigation surrounding the death or near-fatal injury is completed; and

(c) Specifying that if an investigation cannot be completed within 45 days, the information system must be updated at regular intervals and upon the completion of the investigation. The investigation must be completed no later than 90 days after receipt of a report of abuse or neglect, no later than 120 days after receipt of a report involving sexual abuse, or when the division's investigation is complete in a case involving a child fatality or near-fatality (Sections 210.145, 210.152, and 210.183);

(7) Allows a judge to appoint a guardian ad litem to appear for and represent an abused or neglected child involved in proceedings arising when an alleged perpetrator is aggrieved by the decision of the Child Abuse and Neglect Review Board (Section 210.160);

(8) Specifies that children who are related to the member responsible for the daily operation of an in-home licensed child care facility organized as a business entity in this state and who meet the requirements of the child care provider must qualify for the exemption for related children. If more than one member of the business entity is responsible for the daily operation of the facility, the exemption can only be granted for children who are related to one of the members. The bill requires each in-home child care facility to disclose its licensure status and provide a written explanation of the facility's disciplinary philosophy and policies to the parents or guardians enrolling children in the facility (Section 210.211);

(9) Specifies that a foster parent must have standing to participate in all court hearings pertaining to a child in his or her care (Section 211.171);

(10) Requires the Department of Public Safety to establish rules and make payments to SAFE CARE providers who provide forensic examinations of persons under 18 years old who are alleged victims

of physical abuse out of appropriations made for that purpose (Section 334.950); and

(11) Requires, beginning January 1, 2015, an adoption subsidy agreement to include a provision allowing for the suspension or redirection of subsidy payments in the event that the child has been adjudicated dependent and made a ward of the court and removed from the physical or legal custody of the parent or parents by a court of competent jurisdiction (Sections 453.073 and 453.074).

The provisions of the bill regarding child care providers who receive state or federal funds for providing fee assistance for child care services in their home will become effective upon the Department of Health and Senior Services providing notice to the Revisor of Statutes that the implementation of federal regulations mandating the provisions has occurred.

#### **HCS SS SB 884 -- DENTAL SERVICES INSURANCE**

This bill changes the laws regarding insurance for dental services. Any person or entity that is engaged in the act of contracting with providers for the delivery of dental services or the selling or assigning of dental network plans to other health care entities must not sell, assign, or otherwise grant access to the dental services of a participating provider under a health care contract unless expressly authorized by the contract. The contract must specifically provide that one purpose of the contract is the selling, assigning, or giving the contracting entity rights to the services of the participating provider, including network plans. Upon entering a contract with a participating provider and upon request by a participating provider, a contracting entity must properly identify any third party that has been granted access to the dental services of the participating provider. A contracting entity that sells, assigns, or otherwise grants access to the dental services of a participating provider must maintain an Internet website or a toll-free telephone number where the participating provider may obtain information that identifies the insurance carrier to be used to be reimbursed and must ensure that an explanation of benefits or remittance advice furnished to the provider identifies the contractual source of any applicable discount.

All third parties that have contracted with a contracting entity to purchase, be assigned, or otherwise be granted access to the participating provider's discounted rate must comply with the participating provider's contract, including all requirements to encourage access to the participating provider, and pay the participating provider pursuant to the rates of payment and methodology

set forth in that contract unless otherwise agreed to by a participating provider. A contracting entity is deemed in compliance with these provisions when the insured's identification card provides information which identifies the insurance carrier to be used to reimburse the participating provider for the covered dental services.

#### **SB 890 -- VENUE FOR CERTAIN RAILROAD INJURIES**

This bill specifies that if a plaintiff was first injured in a foreign country in connection with any railroad operations therein and any defendant is a corporation that either directly or through its subsidiaries wholly owns or operates the foreign railroad or a wholly owned subsidiary of a corporation that either directly or through its subsidiaries wholly owns or operates the foreign railroad, then venue must exclusively be in the county where the defendant corporation's registered agent is located, regardless of venue as to any other defendant, or if the plaintiff's principal place of residence was in the State of Missouri on the date the plaintiff was first injured, then venue may be in the county of the plaintiff's principal place of residence on the date the plaintiff was first injured.

#### **SCS SB 892 -- PRESIDENTIAL PRIMARY ELECTION**

This bill changes the date of the presidential preference primary in Missouri from the first Tuesday after the first Monday in February to the second Tuesday after the first Monday in March.

#### **CCS HCS SCS SB 896 -- COUNTY GOVERNANCE**

This bill changes the laws regarding county governance. In its main provisions, the bill:

(1) Adds Buchanan County to the list of counties authorized to impose, by rule, regulation, or ordinance a civil fine of up to \$1,000 for each violation of any county rule, regulation, or ordinance;

(2) Authorizes the governing body of Clay County, through the creation of a recreational and community center district which may include only the area encompassed by the Liberty School District and public parks located wholly or partially therein to impose, upon voter approval, a sales tax on all retail sales made within the recreational and community center district that are subject to sales tax. The tax authorized may not exceed .5% and must be used for the purpose of funding the construction, maintenance, operation of, and purchase of equipment for community centers and other purposes of recreation and wellness as determined by the board established to administer these provisions. The board must consist of eight

members from specified areas of the district who are residents of the district;

(3) Authorizes the governing body of New Madrid County to impose, upon voter approval, a sales tax of up to .5% to fund transportation infrastructure improvements. The governing body of the county must submit the question of repeal of the tax to the voters at least every four years;

(4) Authorizes the governing body of Perry County to impose, upon voter approval, a transient guest tax of up to 6% per occupied room per night to be used solely for the promotion of tourism; and

(5) Repeals the provisions requiring Randolph County to operate, furnish, and maintain a county courthouse in the City of Moberly in addition to the courthouse in the county seat in the City of Huntsville for purposes of the circuit court, county court, probate court, municipal corporation courts, and other county officers.

#### **SB 907 -- CARTHAGE SCHOOL DISTRICT FUNDS**

This bill allows the Carthage School District to transfer unrestricted funds one time in the 2014-2015 school year from the incidental fund to the capital projects fund for projects to improve student safety. The transfer must leave the incidental fund balance at no lower than 20%.

#### **SCS SJR 27 -- ELECTRONIC COMMUNICATIONS AND DATA**

Upon voter approval, this proposed constitutional amendment specifies that a person's electronic communication and data are protected from unreasonable searches and seizures performed by the government. The amendment specifies that prior to issuance, a warrant must describe the data or communication to be accessed and be supported by probable cause.

#### **SCS SJR 36 -- RIGHT TO KEEP AND BEAR ARMS**

Upon voter approval, this proposed constitutional amendment changes the laws regarding the right to keep and bear arms. The resolution specifies that a citizen has the right to keep and bear arms, ammunition, and accessories typical to the normal function of the arms, in defense of his or her family, in addition to the current rights in defense of home, person, and property. The resolution repeals provisions specifying that the right to keep and bear arms must not justify the wearing of concealed weapons.

The rights guaranteed under Article 1, Section 23 of the Missouri Constitution must be unalienable.

Any restriction on these rights must be subject to strict scrutiny and the State of Missouri must be obligated to uphold these rights and must not decline to protect against their infringement under any circumstance. Nothing in the resolution must be construed to prevent the passage of laws by the General Assembly that limit these rights for convicted violent felons or persons adjudicated by a court to be a danger to self or others as a result of a mental disorder or mental infirmity.

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**BOATS AND WATERCRAFT**

*See also Drunk Driving/Boating; Motor Vehicles*  
 SS SCS HCS HBs 1735 & 1618 -- Sale of Motorcycles and Specified  
 Motorized Vehicles on Sundays  
 SCS SB 785 -- Boating Safety Identification Cards

**BONDS - GENERAL OBLIGATION AND REVENUE**

SCS SB 723 -- Revenue Bonds

**BONDS - SURETY**

*See also Liability*  
 SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)  
 SCS SB 529 -- Public Works Contracts and Projects

**BUSES**

*See also Motor Carriers*  
 SCS HCS HB 2141 -- Alternative Motor Fuel

**BUSINESS AND COMMERCE**

*See also Commercial Code; Consumer Protection; Merchandising Practices*  
 SS HCS HB 1075 -- Unclaimed Property  
 SCS HB 1190 -- Facilitating Rapid Response to Disasters  
 SCS HCS HB 1225 -- Self-service Storage Facilities Act  
 SS SCS HB 1270 -- Credit Card Processing Services  
 SS SCS HB 1411 -- Tanning Facilities  
 CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
 SS SCS HCS HBs 1735 & 1618 -- Sale of Motorcycles and Specified  
 Motorized Vehicles on Sundays  
 CCS SCS HCS HB 1831 -- Child Care Facilities  
 SS SCS HCS HB 1867 -- Underground Facility Safety  
 HB 2163 -- Commercial Zone in the City of Columbia  
 SCS HCS HB 2238 -- Hemp  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 HCS SS SB 525 -- Food Safety  
 HCS SB 600 -- Veterans  
 HCS SB 606 -- Prepaid Legal Services Plans  
 SCS SB 635 -- Interstate Business Relocation Incentives  
 HCS SCS SB 680 -- Public Assistance Benefits  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 HCS SS SB 694 -- Payday Loans (Vetoed by the Governor)

SB 701 -- Elementary and Secondary Education  
 HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)  
 SCS SB 735 -- Campgrounds  
 SS SCS SB 841 -- Alternative Nicotine or Vapor Products (Vetoed by the Governor)

#### **CAPITAL IMPROVEMENTS**

CCS SS SCS HB 1504 -- Tax Increment Financing

#### **CEMETERIES**

*See also Funerals and Funeral Directors*

HB 1372 -- Protests at Funeral Services

#### **CHARITIES**

*See also Religion*

HCS HB 1523 -- Endowment Funds  
 HCS SS SB 525 -- Food Safety

#### **CHILDREN AND MINORS**

*See also Courts, Juvenile; Family Law; Guardians*

SCS HB 1092 -- Child Protection  
 SCS HB 1136 -- Elections  
 HB 1320 -- Breast-feeding  
 SS SCS HB 1411 -- Tanning Facilities  
 SCS HCS HB 1614 -- Bryce's Law  
 SCS HCS HB 1689 -- Elementary and Secondary Education  
 CCS SCS HCS HB 1831 -- Child Care Facilities  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 HCS SB 508 -- Health Insurance (Vetoed by the Governor)  
 HCS SCS SB 530 -- Termination of Parental Rights  
 SS SCS SB 532 -- Educational and Medical Consent  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 HCS SCS SB 680 -- Public Assistance Benefits  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care  
 SS SCS SB 841 -- Alternative Nicotine or Vapor Products (Vetoed by the Governor)  
 CCS HCS SCS SB 852 -- Public Safety  
 HCS SS SB 869 -- Children

#### **CIRCUIT CLERK**

CCS#2 HCS SB 621 -- Judicial Procedures  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions

#### **CITIES, TOWNS, AND VILLAGES**

*See also Political Subdivisions*

SCS HB 1136 -- Elections  
 SCS HB 1238 -- Court Costs  
 HB 1320 -- Breast-feeding  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 HB 2163 -- Commercial Zone in the City of Columbia  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 SS SCS SB 593 -- Political Subdivision Elections (Vetoed by the Governor)  
 HCS SS SCS SB 653 -- Municipal Utility Poles  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)

#### **CIVIL PENALTIES**

CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education  
 SCS HCS HB 2238 -- Hemp

#### **CIVIL PROCEDURE**

*See also Evidence*

HCS HB 1085 -- Disclosure of Library Records  
 SS SCS SB 706 -- Bad Faith Assertions of Patent Infringement  
 SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)

#### **CIVIL RIGHTS**

*See also Minorities*

HCS HB 1303 -- Missouri Student Religious Liberties Act

#### **COMMERCIAL CODE**

*See also Business and Commerce; Merchandising Practices*

HCS HB 1376 -- Secured Transactions

#### **CONSERVATION DEPARTMENT**

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)

#### **CONSTITUTIONAL AMENDMENTS**

HJR 48 -- Veterans Lottery Ticket  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 HJR 72 -- Governor's Budgetary Authority  
 SS SCS HCS HJR 90 -- Early Voting  
 SCS SJR 27 -- Electronic Communications and Data  
 SCS SJR 36 -- Right to Keep and Bear Arms

#### **CONSTRUCTION AND BUILDING CODES**

HB 1454 -- Communications Infrastructure Deployment  
 SS SCS HCS HB 1867 -- Underground Facility Safety  
 SS SCS SB 650 -- Wireless Communications Infrastructure Deployment  
 SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)

#### **CONSUMER PROTECTION**

*See also Business and Commerce; Credit and Bankruptcy*

HCS SS SB 525 -- Food Safety  
 HCS SB 606 -- Prepaid Legal Services Plans  
 SB 610 -- Consumer Protections  
 HCS SS SB 694 -- Payday Loans (Vetoed by the Governor)  
 SCS SB 735 -- Campgrounds

#### **CONTRACTS AND CONTRACTORS**

SS SCS HB 1270 -- Credit Card Processing Services  
 HB 1359 -- Vendors at Certain State Building Events (Vetoed by the Governor)  
 SCS SB 529 -- Public Works Contracts and Projects  
 SB 610 -- Consumer Protections  
 HCS SS SB 884 -- Dental Services Insurance

#### **CONVEYANCES AND EASEMENTS**

*See also Property, Real and Personal*

HB 1602 -- Conveyance in St. Francois County  
 SCS HB 1791 -- Conveyance of State Property

#### **COOPERATIVES**

HB 1651 -- Electric Cooperatives  
 SB 734 -- Electric Cooperatives

#### **CORPORATIONS**

SCS HCS HB 1296 -- Taxes Based on Sales (Vetoed by the Governor)  
 HB 1455 -- Tax Liability Disputes (Vetoed by the Governor)  
 SS SCS HB 1865 -- Taxation (Vetoed by the Governor)  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)

HCS SB 600 -- Veterans  
 CCS SCS SB 612 -- Taxation (Vetoed by the Governor)  
 CCS HCS SB 662 -- Taxation (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 SCS SB 829 -- Tax Liability Disputes (Vetoed by the Governor)  
 SB 890 -- Venue for Certain Railroad Injuries

### **CORRECTIONS DEPARTMENT**

*See also Prisons and Jails*

HCS HB 1090 -- Department of Corrections Employees  
 HCS HB 1412 -- Filing of Fraudulent Documents  
 CCS#2 SS HCS HB 1685 -- Investigational Drugs  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 CCS HCS SCS SB 852 -- Public Safety

### **COUNSELING**

*See Mental Health*

### **COUNTIES**

*See also Political Subdivisions*

SCS HB 1238 -- Court Costs  
 HCS HB 1426 -- Health-related Ailment Registry  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
 SS SCS HCS HB 1867 -- Underground Facility Safety  
 SCS HCS HB 2141 -- Alternative Motor Fuel  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 HCS SS SB 525 -- Food Safety  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 SCS SB 635 -- Interstate Business Relocation Incentives  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 SB 690 -- Greene County Emergency Telephone Service 911Board  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 SS SCS SB 767 -- Health-related Ailment Registry  
 CCS HCS SCS SB 852 -- Public Safety  
 CCS HCS SCS SB 896 -- County Governance

### **COUNTY GOVERNMENT**

CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 CCS HCS SCS SB 896 -- County Governance

### **COUNTY OFFICIALS**

HCS HB 1412 -- Filing of Fraudulent Documents  
 CCS SS SCS HCS HBs 1665 & 1335 -- Administration of Justice  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 SS SB 745 -- Law Enforcement  
 SB 796 -- Marriage Licenses  
 CCS HCS SCS SB 852 -- Public Safety

### **COURTS**

*See also Judges; Juries*

SCS HB 1238 -- Court Costs  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 CCS SS SCS HCS HBs 1665 & 1335 -- Administration of Justice  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 SB 500 -- Wills and Trusts  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS#2 HCS SB 621 -- Judicial Procedures

SB 649 -- Political Subdivision Right-of-ways  
 SCS SB 651 -- Communications Services  
 HCS SB 655 -- Property  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 SS SCS SB 706 -- Bad Faith Assertions of Patent Infringement  
 HCS SS SB 869 -- Children  
 SB 890 -- Venue for Certain Railroad Injuries  
 CCS HCS SCS SB 896 -- County Governance

### **COURTS, JUVENILE**

*See also Children and Minors*

SCS HB 1092 -- Child Protection  
 HCS SS SB 869 -- Children

### **CREDIT AND BANKRUPTCY**

*See also Banks and Financial Institutions; Consumer Protection*

SS SCS HB 1270 -- Credit Card Processing Services  
 HCS HB 1412 -- Filing of Fraudulent Documents  
 HCS SS SB 694 -- Payday Loans (Vetoed by the Governor)  
 SS SB 741 -- Gaming Establishment Line of Credit  
 SS SB 866 -- Traditional Installment Loan Lenders (Vetoed by the Governor)

### **CRIMES AND PUNISHMENT**

*See also Victims of Crime*

SS SCS HCS HB 1371 -- Missouri Criminal Code  
 HB 1372 -- Protests at Funeral Services  
 SS SCS HB 1411 -- Tanning Facilities  
 HCS HB 1412 -- Filing of Fraudulent Documents  
 CCS SS SCS HCS HBs 1665 & 1335 -- Administration of Justice  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 SCS SB 735 -- Campgrounds  
 CCS HCS SCS SB 852 -- Public Safety

### **CRIMINAL PROCEDURE**

*See also Evidence; Search and Seizure; Victims of Crime*

SCS HB 1238 -- Court Costs  
 SS SCS HCS HB 1371 -- Missouri Criminal Code  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 CCS#2 HCS SB 621 -- Judicial Procedures

### **DAIRIES AND DAIRY PRODUCTS**

*See also Food*

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)

### **DENTISTS**

HCS SS SB 884 -- Dental Services Insurance

### **DISABILITIES**

*See also Guardians*

HB 1064 -- Individuals with Disabilities  
 HB 1125 -- Candidate Filing for Elections  
 SCS HCS HB 1614 -- Bryce's Law  
 SCS HCS HB 1779 -- Advanced Practice Registered Nurses  
 HB 1835 -- Blind Pension Benefits  
 HCS SS SCS SB 491 -- Missouri Criminal Code

**DOMESTIC RELATIONS**

*See also Family Law; Marriage and Divorce*

HCS SS SCS SB 491 -- Missouri Criminal Code

CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)

**DRUGS AND CONTROLLED SUBSTANCES**

*See also Pharmacy*

SS SCS HCS HB 1371 -- Missouri Criminal Code

CCS#2 SS HCS HB 1685 -- Investigational Drugs

HCS HB 2040 -- Drug Overdose Treatment

SCS HCS HB 2238 -- Hemp

HCS SS SCS SB 491 -- Missouri Criminal Code

HCS SCS SB 530 -- Termination of Parental Rights

CCS HCS SB 584 -- Taxation (Vetoed by the Governor)

CCS HCS SB 656 -- Firearms (Vetoed by the Governor)

SS SB 668 -- Oral Chemotherapy Parity

HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)

SS SB 745 -- Law Enforcement

**DRUNK DRIVING/BOATING**

*See also Alcohol; Boats and Watercraft*

HCS SS SCS SB 491 -- Missouri Criminal Code

**ECONOMIC DEVELOPMENT**

HCS HB 1459 -- Innovation Campus Tax Credit Act

HB 1506 -- Rural Regional Development Grants

CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)

SCS HCS HB 1631 -- Air Conservation Commission

HCS SB 506 -- Agriculture (Vetoed by the Governor)

SCS SB 635 -- Interstate Business Relocation Incentives

SB 812 -- Economic Development Office in Israel

**ECONOMIC DEVELOPMENT DEPARTMENT**

CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education

HB 1506 -- Rural Regional Development Grants

SCS SB 635 -- Interstate Business Relocation Incentives

CCS SCS SB 729 -- Taxation

SB 812 -- Economic Development Office in Israel

**EDUCATION, ELEMENTARY AND SECONDARY**

*See also Teachers*

HCS HB 1189 -- High School Graduation Requirements

HCS HB 1261 -- Transportation Development Districts (Vetoed by the Governor)

HCS HB 1303 -- Missouri Student Religious Liberties Act

HCS HB 1459 -- Innovation Campus Tax Credit Act

CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education

SCS HCS HB 1614 -- Bryce's Law

SCS HCS HB 1689 -- Elementary and Secondary Education

HCS SS SCS SB 491 -- Missouri Criminal Code

CCS HCS SCS SB 492 -- Higher Education

CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 --

Elementary and Secondary Education (Vetoed by the Governor)

SB 523 -- Radio Frequency Identification (Vetoed by the Governor)

SS SCS SB 532 -- Educational and Medical Consent

HCS SB 600 -- Veterans

CCS HCS SB 656 -- Firearms (Vetoed by the Governor)

CCS#2 HCS SCS SB 672 -- Political Subdivisions

SB 701 -- Elementary and Secondary Education

SB 719 -- School Purchases

SS SB 782 -- Teacher Certification

**EDUCATION, HIGHER**

HB 1206 -- Public University Property Transfers

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)

HCS HB 1389 -- Reciprocity Agreements for Distance Education

HCS HB 1459 -- Innovation Campus Tax Credit Act

CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)

CCS HCS SCS SB 492 -- Higher Education

HCS SB 506 -- Agriculture (Vetoed by the Governor)

HCS SCS SB 567 -- Public Health

SB 701 -- Elementary and Secondary Education

CCS#2 HCS SCS SB 716 -- Public Health

SB 719 -- School Purchases

CCS SCS SB 729 -- Taxation

CCS HCS SS#2 SB 754 -- Health Care

**ELDERLY**

*See also Guardians*

HCS SS SCS SB 491 -- Missouri Criminal Code

HCS SCS SB 567 -- Public Health

CCS#2 HCS SCS SB 716 -- Public Health

CCS HCS SS#2 SB 754 -- Health Care

**ELECTIONS**

HB 1125 -- Candidate Filing for Elections

SCS HB 1136 -- Elections

SS SCS HCS HJR 90 -- Early Voting

SS SCS SB 593 -- Political Subdivision Elections (Vetoed by the Governor)

CCS#2 HCS SCS SB 672 -- Political Subdivisions

SCS SB 892 -- Presidential Primary Election

**ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT**

HCS HB 1189 -- High School Graduation Requirements

CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education

SCS HCS HB 1614 -- Bryce's Law

SCS HCS HB 1689 -- Elementary and Secondary Education

CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 --

Elementary and Secondary Education (Vetoed by the Governor)

SB 701 -- Elementary and Secondary Education

SS SB 782 -- Teacher Certification

SB 907 -- Carthage School District Funds

**EMBLEMS**

HB 1603 -- Official State Exercise

HCS SB 600 -- Veterans

**EMERGENCIES**

*See also Ambulances and Ambulance Districts*

SCS HB 1190 -- Facilitating Rapid Response to Disasters

HCS HB 1300 -- Fire Protection District Board Meetings

HCS HB 1426 -- Health-related Ailment Registry

CCS SS SCS HB 1504 -- Tax Increment Financing

HCS HB 2040 -- Drug Overdose Treatment

SS SCS SB 593 -- Political Subdivision Elections (Vetoed by the Governor)

SCS SB 651 -- Communications Services

SB 690 -- Greene County Emergency Telephone Service 911 Board



CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 SS SCS SB 767 -- Health-related Ailment Registry  
 SB 773 -- Emergency Service Providers  
 CCS HCS SCS SB 852 -- Public Safety

#### EMPLOYEES - EMPLOYERS

HCS HB 1090 -- Department of Corrections Employees  
 SCS HB 1594 -- Volunteer Labor on Public Works Projects  
 SS SCS SB 510 -- Disqualification from Unemployment Benefits  
 SB 844 -- Shared Work Unemployment Compensation Program

#### EMPLOYMENT SECURITY

SS SCS SB 510 -- Disqualification from Unemployment Benefits  
 SS SB 673 -- Employment Security (Vetoed by the Governor)  
 SB 844 -- Shared Work Unemployment Compensation Program

#### ENERGY

*See also Mining and Oil and Gas Production; Motor Fuel; Utilities*

SB 601 -- Energy Efficiency Tax Deduction  
 CCS SCS SB 729 -- Taxation

#### ENGINEERS

SCS SB 529 -- Public Works Contracts and Projects  
 HCS SCS SB 809 -- Architects, Engineers, and Surveyors

#### ENTERTAINMENT, SPORTS, AND AMUSEMENTS

*See also Parks and Recreation*

HCS HB 1237 -- Nonresident Entertainer Income Tax  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 CCS SCS SB 612 -- Taxation (Vetoed by the Governor)  
 HCS SCS SB 808 -- Licensing of Specified Professions

#### ENVIRONMENTAL PROTECTION

HCS HB 1302 -- Wood Burning Appliances  
 SCS HCS HB 1631 -- Air Conservation Commission  
 SS SCS HCS HB 1867 -- Underground Facility Safety  
 SCS HCS HB 2141 -- Alternative Motor Fuel  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 SCS SB 642 -- Natural Resources  
 CCS HCS SCS SB 664 -- Natural Resources

#### ESTATES, WILLS, AND TRUSTS

HB 1455 -- Tax Liability Disputes (Vetoed by the Governor)  
 SB 500 -- Wills and Trusts  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 HCS SB 794 -- Insurance Regulation

#### EVIDENCE

*See also Civil Procedure; Criminal Procedure; Search and Seizure*

HCS SS SCS SB 491 -- Missouri Criminal Code

#### EXCAVATION

SS SCS HCS HB 1867 -- Underground Facility Safety

#### FAMILY LAW

*See also Children and Minors; Domestic Relations; Marriage and Divorce*

HCS SCS SB 530 -- Termination of Parental Rights  
 SS SCS SB 532 -- Educational and Medical Consent  
 HCS SS SB 869 -- Children

#### FEDERAL - STATE RELATIONS

HCS HB 1302 -- Wood Burning Appliances  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 SCS HCS HB 1631 -- Air Conservation Commission  
 CCS SCS HCS HB 1831 -- Child Care Facilities  
 HCS SS SB 869 -- Children

#### FEES

SCS HB 1238 -- Court Costs  
 SS SCS HB 1270 -- Credit Card Processing Services  
 HCS HB 1389 -- Reciprocity Agreements for Distance Education  
 CCS SS SCS HCS HBs 1665 & 1335 -- Administration of Justice  
 SCS HCS HB 2141 -- Alternative Motor Fuel  
 HCS SB 508 -- Health Insurance (Vetoed by the Governor)  
 HCS SB 600 -- Veterans  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 SCS SB 642 -- Natural Resources  
 CCS HCS SCS SB 664 -- Natural Resources  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions

#### FIRE PROTECTION

HCS HB 1300 -- Fire Protection District Board Meetings  
 SCS HCS HB 1410 -- Landlord Tenant Actions  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 SCS HCS HB 2141 -- Alternative Motor Fuel  
 HCS SB 655 -- Property  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions

#### FIREARMS AND FIREWORKS

*See also Weapons*

CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 SS SB 745 -- Law Enforcement  
 SCS SJR 36 -- Right to Keep and Bear Arms

#### FISHING AND HUNTING

*See also Agriculture and Animals*

HCS SS SCS SB 491 -- Missouri Criminal Code

#### FOOD

*See also Dairies and Dairy Products*

HCS SS SB 525 -- Food Safety  
 HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)

#### FUNERALS AND FUNERAL DIRECTORS

*See also Cemeteries*

HB 1372 -- Protests at Funeral Services  
 CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
 CCS HCS SCS SB 852 -- Public Safety

#### GAMBLING

*See also Lotteries*

HCS SS SCS SB 491 -- Missouri Criminal Code  
 SS SB 741 -- Gaming Establishment Line of Credit

#### GENERAL ASSEMBLY

SCS HB 1092 -- Child Protection  
 HB 1206 -- Public University Property Transfers  
 HCS HB 1302 -- Wood Burning Appliances  
 CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education

HB 1506 -- Rural Regional Development Grants  
 HCS HB 1882 -- Public Employee Retirement Plans  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 HJR 72 -- Governor's Budgetary Authority  
 HCS SS SB 575 -- Boards, Commissions, and Committees (Vetoed by the Governor)  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 HCS SCS SB 643 -- Publication of the Missouri Revised Statutes  
 CCS HCS SS#2 SB 754 -- Health Care  
 HCS SS SB 869 -- Children

#### GOVERNOR AND LT. GOVERNOR

SCS HCS HRB 1299 -- Executive Branch Reorganizations  
 HJR 72 -- Governor's Budgetary Authority  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)

#### GUARDIANS

*See also Children and Minors; Disabilities; Elderly*  
 SCS HB 1092 -- Child Protection  
 HCS SS SB 869 -- Children

#### HEALTH CARE

*See also Insurance-Medical; Medical Procedures and Personnel*  
 SCS HCS HBs 1307 & 1313 -- Waiting Period for Abortions (Vetoed by the Governor)  
 HB 1656 -- Anatomical Gifts  
 SS SCS SB 532 -- Educational and Medical Consent  
 SCS SB 639 -- Mammography Reports  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care

#### HEALTH CARE PROFESSIONALS

*See also Licenses-Professional; see also individual professions*  
 SCS HCS HB 1779 -- Advanced Practice Registered Nurses  
 SCS SB 639 -- Mammography Reports  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care  
 CCS HCS SCS SB 852 -- Public Safety

#### HEALTH DEPARTMENT

SS SCS HB 1411 -- Tanning Facilities  
 SCS HCS HB 2238 -- Hemp  
 HCS SS SB 525 -- Food Safety  
 HCS SCS SB 567 -- Public Health  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care

#### HEALTH, PUBLIC

*See also AIDS*  
 SS SCS HB 1411 -- Tanning Facilities  
 HCS HB 1426 -- Health-related Ailment Registry  
 HB 1603 -- Official State Exercise  
 HB 1656 -- Anatomical Gifts  
 CCS#2 SS HCS HB 1685 -- Investigational Drugs  
 HCS SS SB 525 -- Food Safety  
 SB 527 -- Medical Radiation Safety Awareness  
 HCS SCS SB 567 -- Public Health  
 SCS SB 639 -- Mammography Reports

CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care  
 SS SCS SB 767 -- Health-related Ailment Registry  
 CCS HCS SCS SB 852 -- Public Safety

#### HIGHER EDUCATION DEPARTMENT

HCS HB 1389 -- Reciprocity Agreements for Distance Education  
 CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education  
 CCS HCS SCS SB 492 -- Higher Education

#### HIGHWAY PATROL

*See also Law Enforcement Officers and Agencies*  
 SCS HCS HB 2238 -- Hemp

#### HIGHWAYS AND ROADS

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 SCS HB 1866 -- Highway and Bridge Designations  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)

#### HISTORIC PRESERVATION

*See also Arts and Humanities; Libraries and Archives*  
 HCS HB 1237 -- Nonresident Entertainer Income Tax  
 SS SCS SB 650 -- Wireless Communications Infrastructure Deployment

#### HOLIDAYS

SB 527 -- Medical Radiation Safety Awareness Day  
 HCS SB 600 -- Veterans

#### HOSPITALS

HB 1656 -- Anatomical Gifts  
 HCS SCS SB 567 -- Public Health  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care  
 HCS SCS SB 808 -- Licensing of Specified Professions  
 CCS HCS SCS SB 852 -- Public Safety

#### HOUSING

*See also Landlords and Tenants; Manufactured Housing*  
 HCS SB 655 -- Property  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)

#### IDENTITY PROTECTION

HCS SS SCS SB 491 -- Missouri Criminal Code

#### INSURANCE - AUTOMOBILE

SCS HB 1092 -- Child Protection

#### INSURANCE DEPARTMENT

CCS SS HB 1361 -- Domestic Surplus Lines Insurers  
 SCS HB 1968 -- Risk-based Capital Analysis  
 HCS SB 508 -- Health Insurance (Vetoed by the Governor)  
 HCS SB 606 -- Prepaid Legal Services Plans  
 HCS SS SB 694 -- Payday Loans (Vetoed by the Governor)

#### INSURANCE - GENERAL

HCS HB 1079 -- Insurance Documents  
 CCS SS HB 1361 -- Domestic Surplus Lines Insurers  
 SB 609 -- Insurance Documents  
 HCS SB 794 -- Insurance Regulation

**INSURANCE - LIFE**

HCS HB 1079 -- Insurance Documents  
 SB 609 -- Insurance Documents  
 HCS SB 794 -- Insurance Regulation

**INSURANCE - MEDICAL**

*See also Health Care; Medicaid*

CCS#2 SS HCS HB 1685 -- Investigational Drugs  
 SCS HB 1968 -- Risk-based Capital Analysis  
 HCS SB 508 -- Health Insurance (Vetoed by the Governor)  
 SS SB 668 -- Oral Chemotherapy Parity  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care  
 HCS SS SB 884 -- Dental Services Insurance

**INSURANCE - PROPERTY**

HCS HB 1079 -- Insurance Documents  
 HCS SS SB 691 -- Insurance Policies

**INTERNET, WORLD-WIDE WEB, AND E-MAIL**

*See also Science and Technology; Telecommunications*

HCS HB 1079 -- Insurance Documents  
 HB 1081 -- Paperless Documents and Forms Act  
 HCS HB 1376 -- Secured Transactions  
 HCS HB 1389 -- Reciprocity Agreements for Distance Education  
 HCS SB 504 -- Electronic Posting of Proposed Rules by State Agencies  
 SB 609 -- Insurance Documents  
 HCS SS SB 694 -- Payday Loans (Vetoed by the Governor)  
 SCS SJR 27 -- Electronic Communications and Data

**INTERSTATE COOPERATION**

HCS HB 1389 -- Reciprocity Agreements for Distance Education  
 SCS SB 635 -- Interstate Business Relocation Incentives  
 HCS SCS SB 809 -- Architects, Engineers, and Surveyors

**JACKSON COUNTY**

SCS HCS HB 1410 -- Landlord Tenant Actions  
 CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 --  
 Elementary and Secondary Education (Vetoed by the Governor)  
 HCS SS SB 525 -- Food Safety  
 SCS SB 635 -- Interstate Business Relocation Incentives  
 HCS SB 655 -- Property

**JUDGES**

*See also Courts*

CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 HCS SS SB 869 -- Children

**JURIES**

*See also Courts*

HB 1320 -- Breast-feeding

**KANSAS CITY**

SCS HB 1238 -- Court Costs  
 HB 1301 -- Kansas City Police Retirement Systems  
 CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
 CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 --  
 Elementary and Secondary Education (Vetoed by the Governor)  
 HCS SS SB 525 -- Food Safety

CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)  
 SS SB 866 -- Traditional Installment Loan Lenders (Vetoed by the Governor)

**LANDLORDS AND TENANTS**

*See also Housing*

SCS HCS HB 1410 -- Landlord Tenant Actions  
 HCS SB 655 -- Property  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)

**LAW ENFORCEMENT OFFICERS AND AGENCIES**

*See also Highway Patrol*

HB 1301 -- Kansas City Police Retirement Systems  
 CCS SS SCS HCS HBs 1665 & 1335 -- Administration of Justice  
 CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
 SCS HCS HB 2238 -- Hemp  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 SCS SB 735 -- Campgrounds  
 SS SB 745 -- Law Enforcement  
 CCS HCS SCS SB 852 -- Public Safety

**LIABILITY**

*See also Bonds-Surety*

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 CCS#2 SS HCS HB 1685 -- Investigational Drugs  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)  
 SS SCS SB 532 -- Educational and Medical Consent  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 SCS SB 651 -- Communications Services  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 CCS HCS SS#2 SB 754 -- Health Care  
 SCS SB 829 -- Tax Liability Disputes (Vetoed by the Governor)  
 CCS HCS SCS SB 852 -- Public Safety

**LIBRARIES AND ARCHIVES**

*See also Arts and Humanities; Historic Preservation*

HCS HB 1085 -- Disclosure of Library Records  
 HCS HB 1237 -- Nonresident Entertainer Income Tax  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 --  
 Elementary and Secondary Education (Vetoed by the Governor)  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions

**LICENSES - MISCELLANEOUS**

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 CCS SCS HCS HB 1831 -- Child Care Facilities  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 HCS SS SB 694 -- Payday Loans (Vetoed by the Governor)  
 SB 796 -- Marriage Licenses

**LICENSES - MOTOR VEHICLE**

*See also Motor Vehicles*

HCS SB 600 -- Veterans

**LICENSES - PROFESSIONAL**

*See also Health Care Professionals; see also names of individual professions*

CCS#2 SS HCS HB 1685 -- Investigational Drugs  
HCS SB 508 -- Health Insurance (Vetoed by the Governor)  
CCS#2 HCS SCS SB 716 -- Public Health  
CCS HCS SS#2 SB 754 -- Health Care  
HCS SCS SB 808 -- Licensing of Specified Professions  
HCS SCS SB 809 -- Architects, Engineers, and Surveyors

**LIENS**

HCS HB 1218 -- Liens for Assessments on Condominiums  
HCS HB 1999 -- Motor Vehicle Lien Documents (Vetoed by the Governor)

**LOTTERIES**

*See also Gambling*

HJR 48 -- Veterans Lottery Ticket  
HCS SCS SB 680 -- Public Assistance Benefits

**MANUFACTURED HOUSING**

*See also Housing*

CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
CCS HCS SS SB 860 -- Taxation (Vetoed by the Governor)

**MARITAL AND FAMILY THERAPISTS**

*See Mental Health*

**MARRIAGE AND DIVORCE**

*See also Domestic Relations; Family Law*

CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
CCS#2 HCS SB 621 -- Judicial Procedures  
SB 796 -- Marriage Licenses

**MEDICAID**

*See also Insurance-Medical; Public Assistance*

HCS SCS SB 680 -- Public Assistance Benefits  
CCS#2 HCS SCS SB 716 -- Public Health  
CCS HCS SS#2 SB 754 -- Health Care  
HCS SS SB 869 -- Children

**MEDICAL PROCEDURES AND PERSONNEL**

*See also Abortion; Health Care*

HB 1656 -- Anatomical Gifts  
CCS#2 SS HCS HB 1685 -- Investigational Drugs  
HCS HB 2040 -- Drug Overdose Treatment  
SCS HCS HB 2238 -- Hemp  
SS SB 668 -- Oral Chemotherapy Parity  
CCS#2 HCS SCS SB 716 -- Public Health  
CCS HCS SS#2 SB 754 -- Health Care  
HCS SCS SB 808 -- Licensing of Specified Professions

**MENTAL HEALTH**

SCS HCS HB 1779 -- Advanced Practice Registered Nurses  
HCS SCS SB 808 -- Licensing of Specified Professions

**MENTAL HEALTH DEPARTMENT**

SCS HCS HB 1779 -- Advanced Practice Registered Nurses  
HCS SCS SB 567 -- Public Health  
CCS#2 HCS SCS SB 716 -- Public Health

HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)  
CCS HCS SS#2 SB 754 -- Health Care  
SS SCS SB 841 -- Alternative Nicotine or Vapor Products (Vetoed by the Governor)

**MERCHANDISING PRACTICES**

*See also Business and Commerce; Commercial Code*

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
HCS SS SCS SB 491 -- Missouri Criminal Code  
HCS SB 506 -- Agriculture (Vetoed by the Governor)  
HCS SS SB 525 -- Food Safety  
SB 610 -- Consumer Protections

**MILITARY AFFAIRS**

*See also National Guard; Veterans*

HB 1125 -- Candidate Filing for Elections  
HCS HB 1710 -- Missouri National Guard Foundation Fund  
HB 1724 -- Missouri Military Family Relief Fund  
SB 796 -- Marriage Licenses

**MINING AND OIL AND GAS PRODUCTION**

*See also Energy; Motor Fuel*

SCS HCS HB 1201 -- Surface Mining  
SCS SB 642 -- Natural Resources

**MINORITIES**

*See also Civil Rights*

HCS HB 1882 -- Public Employee Retirement Plans

**MOTELS AND HOTELS**

CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
CCS HCS SCS SB 896 -- County Governance

**MOTOR CARRIERS**

*See also Buses; Railroads*

SCS HB 1190 -- Facilitating Rapid Response to Disasters  
SCS HCS HB 2141 -- Alternative Motor Fuel

**MOTOR FUEL**

*See also Energy; Mining and Oil and Gas Production*

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
SCS HCS HB 2141 -- Alternative Motor Fuel  
SS HJR 68 -- Sales and Use Tax for Transportation  
HCS SB 506 -- Agriculture (Vetoed by the Governor)  
CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
CCS SCS SB 729 -- Taxation  
SB 842 -- Diesel Fuel Inspections

**MOTOR VEHICLES**

*See also Aircraft and Airports; Insurance-Automobile; Licenses-Motor Vehicle; Transportation*

SCS HCS HB 1225 -- Self-service Storage Facilities Act  
SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
SS SCS HCS HBs 1735 & 1618 -- Sale of Motorcycles and Specified Motorized Vehicles on Sundays  
HCS HB 1999 -- Motor Vehicle Lien Documents (Vetoed by the Governor)  
HB 2163 -- Commercial Zone in the City of Columbia  
HCS SB 506 -- Agriculture (Vetoed by the Governor)

**NATIONAL GUARD***See also Military Affairs; Veterans*

HCS HB 1710 -- Missouri National Guard Foundation Fund

HB 1724 -- Missouri Military Family Relief Fund

**NATURAL RESOURCES DEPARTMENT**

SCS HCS HB 1201 -- Surface Mining

HCS HB 1302 -- Wood Burning Appliances

CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)

SCS HCS HB 2141 -- Alternative Motor Fuel

SCS SB 642 -- Natural Resources

CCS HCS SCS SB 664 -- Natural Resources

SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)

**NURSES**

SCS HCS HB 1779 -- Advanced Practice Registered Nurses

**NURSING AND BOARDING HOMES**

HCS SS SCS SB 491 -- Missouri Criminal Code

CCS HCS SCS SB 852 -- Public Safety

**PARKS AND RECREATION***See also Entertainment; Sports and Amusements*

HCS SS SCS SB 491 -- Missouri Criminal Code

CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)

SCS SB 735 -- Campgrounds

CCS HCS SCS SB 896 -- County Governance

**PHARMACY***See also Drugs and Controlled Substances*

HCS HB 2040 -- Drug Overdose Treatment

CCS#2 HCS SCS SB 716 -- Public Health

CCS HCS SS#2 SB 754 -- Health Care

HCS SCS SB 808 -- Licensing of Specified Professions

**PHYSICIANS**

CCS#2 SS HCS HB 1685 -- Investigational Drugs

SCS HCS HB 2238 -- Hemp

CCS#2 HCS SCS SB 716 -- Public Health

CCS HCS SS#2 SB 754 -- Health Care

HCS SCS SB 808 -- Licensing of Specified Professions

**PLANNING AND ZONING**

SCS HCS HB 1201 -- Surface Mining

HB 1454 -- Communications Infrastructure Deployment

HB 2163 -- Commercial Zone in the City of Columbia

SCS SB 642 -- Natural Resources

SS SCS SB 650 -- Wireless Communications Infrastructure Deployment

CCS#2 HCS SCS SB 672 -- Political Subdivisions

**POLITICAL SUBDIVISIONS***See also Cities, Towns and Villages; Counties*

SCS HCS HB 1217 -- Public Employee Retirement Benefits

HCS HB 1261 -- Transportation Development Districts (Vetoed by the Governor)

HCS HB 1300 -- Fire Protection District Board Meetings

HCS HB 1303 -- Missouri Student Religious Liberties Act

CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)

SCS HB 1692 -- Public Utility Districts

CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)

SB 523 -- Radio Frequency Identification (Vetoed by the Governor)

SCS SB 529 -- Public Works Contracts and Projects

SS SCS SB 593 -- Political Subdivision Elections (Vetoed by the Governor)

SB 649 -- Political Subdivision Right-of-ways

CCS HCS SB 656 -- Firearms (Vetoed by the Governor)

CCS#2 HCS SCS SB 672 -- Political Subdivisions

SCS SB 675 -- Missouri Local Government Retirement (Vetoed by the Governor)

CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)

SB 719 -- School Purchases

CCS HCS SCS SB 852 -- Public Safety

CCS HCS SCS SB 896 -- County Governance

SB 907 -- Carthage School District Funds

**PRISONS AND JAILS***See also Corrections Department*

SS SCS HCS HB 1371 -- Missouri Criminal Code

HCS SS SCS SB 491 -- Missouri Criminal Code

CCS HCS SB 584 -- Taxation (Vetoed by the Governor)

SB 796 -- Marriage Licenses

**PROBATION AND PAROLE**

SS SCS HCS HB 1371 -- Missouri Criminal Code

HCS SS SCS SB 491 -- Missouri Criminal Code

HCS SCS SB 680 -- Public Assistance Benefits

HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)

**PROPERTY, REAL AND PERSONAL***See also Advertising and Signs; Conveyances and Easements; Taxation and Revenue-Property*

SS HCS HB 1075 -- Unclaimed Property

HB 1206 -- Public University Property Transfers

HCS HB 1218 -- Liens for Assessments on Condominiums

SCS HCS HB 1225 -- Self-service Storage Facilities Act

SCS HCS HB 1296 -- Taxes Based on Sales (Vetoed by the Governor)

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)

HCS HB 1412 -- Filing of Fraudulent Documents

CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)

HB 1693 -- Unclaimed Property

SS SCS HB 1865 -- Taxation (Vetoed by the Governor)

SB 500 -- Wills and Trusts

HCS SB 506 -- Agriculture (Vetoed by the Governor)

CCS SCS SB 612 -- Taxation (Vetoed by the Governor)

CCS#2 HCS SB 621 -- Judicial Procedures

SB 649 -- Political Subdivision Right-of-ways

HCS SB 655 -- Property

CCS#2 HCS SCS SB 672 -- Political Subdivisions

HCS SS SB 691 -- Insurance Policies

CCS SCS SB 729 -- Taxation

**PUBLIC ASSISTANCE***See also Medicaid*

HB 1835 -- Blind Pension Benefits

HCS SB 508 -- Health Insurance (Vetoed by the Governor)

HCS SCS SB 680 -- Public Assistance Benefits

CCS#2 HCS SCS SB 716 -- Public Health

HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)

CCS HCS SS#2 SB 754 -- Health Care

**PUBLIC BUILDINGS**

HB 1359 -- Vendors at Certain State Building Events (Vetoed by the Governor)  
 SCS SB 529 -- Public Works Contracts and Projects  
 SCS SB 723 -- Revenue Bonds  
 CCS HCS SCS SB 896 -- County Governance

**PUBLIC RECORDS, PUBLIC MEETINGS**

*See also Sunshine Law, Meetings and Records*

HCS HB 1085 -- Disclosure of Library Records  
 HCS HB 1426 -- Health-related Ailment Registry  
 CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education  
 CCS SS SCS HCS HBs 1665 & 1335 -- Administration of Justice  
 CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 SS SCS SB 767 -- Health-related Ailment Registry  
 CCS HCS SS SB 860 -- Taxation (Vetoed by the Governor)

**PUBLIC SAFETY DEPARTMENT**

SCS HB 1092 -- Child Protection  
 SCS HCS HB 2141 -- Alternative Motor Fuel  
 HCS SB 508 -- Health Insurance (Vetoed by the Governor)  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 HCS SCS SB 680 -- Public Assistance Benefits  
 SS SCS SB 841 -- Alternative Nicotine or Vapor Products (Vetoed by the Governor)  
 CCS HCS SCS SB 852 -- Public Safety  
 HCS SS SB 869 -- Children

**RAILROADS**

*See also Motor Carriers; Transportation*

SS SCS HCS HB 1867 -- Underground Facility Safety  
 SB 890 -- Venue for Certain Railroad Injuries

**RELIGION**

*See also Charities*

HCS HB 1303 -- Missouri Student Religious Liberties Act

**RETIREMENT - LOCAL GOVERNMENT**

HB 1301 -- Kansas City Police Retirement Systems  
 HCS HB 1882 -- Public Employee Retirement Plans  
 SCS SB 675 -- Missouri Local Government Retirement (Vetoed by the Governor)

**RETIREMENT - STATE**

SCS HCS HB 1217 -- Public Employee Retirement Benefits  
 HCS HB 1882 -- Public Employee Retirement Plans

**RETIREMENT SYSTEMS AND BENEFITS - GENERAL**

HB 1835 -- Blind Pension Benefits  
 SB 844 -- Shared Work Unemployment Compensation Program

**REVENUE DEPARTMENT**

HB 1081 -- Paperless Documents and Forms Act  
 SCS HB 1190 -- Facilitating Rapid Response to Disasters  
 HCS HB 1261 -- Transportation Development Districts (Vetoed by the Governor)  
 HB 1455 -- Tax Liability Disputes (Vetoed by the Governor)  
 HCS HB 1999 -- Motor Vehicle Lien Documents (Vetoed by the Governor)

CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 CCS SCS SB 612 -- Taxation (Vetoed by the Governor)  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 CCS HCS SB 662 -- Taxation (Vetoed by the Governor)  
 CCS HCS SCS SB 664 -- Natural Resources  
 SCS SB 675 -- Missouri Local Government Retirement (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 SCS SB 829 -- Tax Liability Disputes (Vetoed by the Governor)  
 SB 842 -- Diesel Fuel Inspections

**REVISION BILLS**

HB 1245 -- Duplicate Versions of Statutes  
 HCS HRB 1298 -- Expired, Ineffective, and Obsolete Statutes  
 SCS HCS HRB 1299 -- Executive Branch Reorganizations  
 HCS SCS SB 643 -- Publication of the Missouri Revised Statutes

**SAINT LOUIS**

HCS HB 1426 -- Health-related Ailment Registry  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 --  
 Elementary and Secondary Education (Vetoed by the Governor)  
 HCS SS SB 525 -- Food Safety  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions  
 SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)  
 CCS HCS SCS SB 852 -- Public Safety

**SAINT LOUIS COUNTY**

CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 --  
 Elementary and Secondary Education (Vetoed by the Governor)  
 HCS SS SB 525 -- Food Safety  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 CCS HCS SS SB 860 -- Taxation (Vetoed by the Governor)

**SCIENCE AND TECHNOLOGY**

*See also Internet, World Wide Web, and E-mail*

HB 1081 -- Paperless Documents and Forms Act  
 SCS HB 1136 -- Elections  
 HCS HB 1189 -- High School Graduation Requirements  
 HCS HB 1459 -- Innovation Campus Tax Credit Act  
 CCS HCS SCS SB 492 -- Higher Education  
 SB 701 -- Elementary and Secondary Education  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS SCS SB 729 -- Taxation  
 SB 812 -- Economic Development Office in Israel  
 SCS SJR 27 -- Electronic Communications and Data

**SEARCH AND SEIZURE**

*See also Criminal Procedure; Evidence*

SCS SJR 27 -- Electronic Communications and Data

**SECRETARY OF STATE**

SCS HB 1190 -- Facilitating Rapid Response to Disasters  
 HCS HB 1412 -- Filing of Fraudulent Documents  
 HCS SB 600 -- Veterans  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)

**SECURITIES**

SCS HCS HB 1217 -- Public Employee Retirement Benefits  
 HCS HB 1376 -- Secured Transactions  
 HCS SB 794 -- Insurance Regulation

**SEWERS AND SEWER DISTRICTS**

SCS HB 1692 -- Public Utility Districts  
 SS SCS HCS HB 1867 -- Underground Facility Safety  
 SCS SB 642 -- Natural Resources  
 CCS#2 HCS SCS SB 672 -- Political Subdivisions

**SEXUAL OFFENSES**

SS SCS HCS HB 1371 -- Missouri Criminal Code  
 HCS SS SCS SB 491 -- Missouri Criminal Code  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 CCS HCS SCS SB 852 -- Public Safety  
 HCS SS SB 869 -- Children

**SOCIAL SERVICES DEPARTMENT**

SCS HB 1092 -- Child Protection  
 CCS SCS HCS HB 1831 -- Child Care Facilities  
 HCS SCS SB 530 -- Termination of Parental Rights  
 HCS SCS SB 567 -- Public Health  
 HCS SCS SB 680 -- Public Assistance Benefits  
 CCS#2 HCS SCS SB 716 -- Public Health  
 HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)  
 CCS HCS SS#2 SB 754 -- Health Care  
 CCS HCS SCS SB 852 -- Public Safety

**SOCIAL WORKERS**

*See Mental Health*

**STATE DEPARTMENTS**

*See also names of individual departments*

SCS HCS HB 1217 -- Public Employee Retirement Benefits  
 SCS HCS HRB 1299 -- Executive Branch Reorganizations  
 HCS SB 504 -- Electronic Posting of Proposed Rules by State Agencies

**SUNSHINE LAW, MEETINGS AND RECORDS**

*See also Public Records, Public Meetings*

CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 SS SCS SB 767 -- Health-related Ailment Registry

**SURVEYORS**

SCS SB 529 -- Public Works Contracts and Projects  
 HCS SCS SB 809 -- Architects, Engineers, and Surveyors

**TAX CREDITS**

*See also Taxation and Revenue - Income*

SCS HB 1132 -- Tax Credits (Vetoed by the Governor)  
 HB 1455 -- Tax Liability Disputes (Vetoed by the Governor)  
 HCS HB 1459 -- Innovation Campus Tax Credit Act  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 CCS SCS SB 729 -- Taxation

**TAXATION AND REVENUE - GENERAL**

SCS HB 1136 -- Elections  
 HB 1455 -- Tax Liability Disputes (Vetoed by the Governor)  
 CCS SS SCS HB 1504 -- Tax Increment Financing  
 SS SCS HB 1865 -- Taxation (Vetoed by the Governor)

SCS HCS HB 2141 -- Alternative Motor Fuel  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 CCS SCS SB 612 -- Taxation (Vetoed by the Governor)  
 SCS SB 635 -- Interstate Business Relocation Incentives  
 CCS HCS SB 662 -- Taxation (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 CCS SCS SB 729 -- Taxation  
 SCS SB 829 -- Tax Liability Disputes (Vetoed by the Governor)  
 CCS HCS SS SB 860 -- Taxation (Vetoed by the Governor)

**TAXATION AND REVENUE - INCOME**

*See also Tax Credits*

HCS HB 1237 -- Nonresident Entertainer Income Tax  
 HCS HB 1710 -- Missouri National Guard Foundation Fund  
 SS SCS HB 1865 -- Taxation (Vetoed by the Governor)  
 SS#3 SCS SBs 509 & 496 -- Income Taxes (Vetoed by the Governor --  
 Overridden by the General Assembly)  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 SB 601 -- Energy Efficiency Tax Deduction  
 CCS SCS SB 612 -- Taxation (Vetoed by the Governor)  
 CCS HCS SB 662 -- Taxation (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)

**TAXATION AND REVENUE - PROPERTY**

*See also Property, Real and Personal*

CCS SCS SB 729 -- Taxation

**TAXATION AND REVENUE - SALES AND USE**

SCS HCS HB 1296 -- Taxes Based on Sales (Vetoed by the Governor)  
 CCS SS SCS HB 1504 -- Tax Increment Financing  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 SS SCS HB 1865 -- Taxation (Vetoed by the Governor)  
 HB 2029 -- Sales Tax Exemption for Aircraft Parts  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 CCS SCS SB 612 -- Taxation (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)  
 CCS HCS SS SB 860 -- Taxation (Vetoed by the Governor)  
 CCS HCS SCS SB 896 -- County Governance

**TEACHERS**

*See also Education, Elementary and Secondary*

CCS#2 SS SCS HB 1490 -- Elementary and Secondary Education  
 CCS HCS SCS SB 492 -- Higher Education  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 SS SB 782 -- Teacher Certification

**TELECOMMUNICATIONS**

*See also Internet, E-mail, and World Wide Web*

HCS HB 1079 -- Insurance Documents  
 HCS HB 1085 -- Disclosure of Library Records  
 SCS HB 1136 -- Elections  
 HCS HB 1376 -- Secured Transactions  
 HCS HB 1389 -- Reciprocity Agreements for Distance Education  
 HB 1454 -- Communications Infrastructure Deployment  
 CCS SS SCS HB 1504 -- Tax Increment Financing  
 CCS SS SCS HCS HBs 1665 & 1335 -- Administration of Justice

HCS HB 1999 -- Motor Vehicle Lien Documents (Vetoed by the Governor)  
 CCS HCS SCS SB 492 -- Higher Education  
 HCS SB 504 -- Electronic Posting of Proposed Rules by State Agencies  
 SB 523 -- Radio Frequency Identification (Vetoed by the Governor)  
 SB 609 -- Insurance Documents  
 SS SCS SB 650 -- Wireless Communications Infrastructure Deployment  
 SCS SB 651 -- Communications Services  
 HCS SS SCS SB 653 -- Municipal Utility Poles  
 HCS SCS SB 680 -- Public Assistance Benefits  
 SB 690 -- Greene County Emergency Telephone Service 911 Board  
 CCS#2 HCS SCS SB 716 -- Public Health  
 CCS HCS SS#2 SB 754 -- Health Care  
 SCS SJR 27 -- Electronic Communications and Data

#### TELEVISION

HCS HB 1237 -- Nonresident Entertainer Income Tax  
 HCS SS SCS SB 491 -- Missouri Criminal Code

#### TOBACCO PRODUCTS

HCS SCS SB 680 -- Public Assistance Benefits  
 SCS SB 735 -- Campgrounds  
 SS SCS SB 841 -- Alternative Nicotine or Vapor Products (Vetoed by the Governor)

#### TOURISM

CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)

#### TRANSPORTATION

*See also Aircraft and Airports; Buses; Motor Vehicles; Railroads*

HCS HB 1261 -- Transportation Development Districts (Vetoed by the Governor)  
 SS HJR 68 -- Sales and Use Tax for Transportation  
 CCS HCS SCS SB 896 -- County Governance

#### TRANSPORTATION DEPARTMENT

SCS HB 1190 -- Facilitating Rapid Response to Disasters  
 SCS HB 1866 -- Highway and Bridge Designations

#### TREASURER, STATE

SS HCS HB 1075 -- Unclaimed Property  
 HB 1693 -- Unclaimed Property  
 CCS#2 HCS SB 621 -- Judicial Procedures  
 SCS SB 675 -- Missouri Local Government Retirement (Vetoed by the Governor)

#### UNEMPLOYMENT COMPENSATION

SS SCS SB 510 -- Disqualification from Unemployment Benefits  
 SS SB 673 -- Employment Security (Vetoed by the Governor)  
 SB 844 -- Shared Work Unemployment Compensation Program

#### UNIFORM LAWS

SS SCS SB 650 -- Wireless Communications Infrastructure Deployment  
 HCS SS SCS SB 653 -- Municipal Utility Poles

#### UTILITIES

*See also Energy*

SCS HB 1190 -- Facilitating Rapid Response to Disasters  
 SCS HCS HB 1631 -- Air Conservation Commission  
 HB 1651 -- Electric Cooperatives  
 SS SCS HB 1865 -- Taxation (Vetoed by the Governor)  
 SS SCS HCS HB 1867 -- Underground Facility Safety

SB 649 -- Political Subdivision Right-of-ways  
 HCS SS SCS SB 653 -- Municipal Utility Poles  
 SB 734 -- Electric Cooperatives

#### VETERANS

*See also Military Affairs; National Guard*

HJR 48 -- Veterans Lottery Ticket  
 HCS SB 600 -- Veterans

#### VETERINARIANS

SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 CCS HCS SCS SB 492 -- Higher Education  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)

#### VETOED BILLS

SCS HB 1132 -- Tax Credits (Vetoed by the Governor)  
 HCS HB 1261 -- Transportation Development Districts (Vetoed by the Governor)  
 SCS HCS HB 1296 -- Taxes Based on Sales (Vetoed by the Governor)  
 SCS HCS HBs 1307 & 1313 -- Waiting Period for Abortions (Vetoed by the Governor)  
 SS SCS HCS HB 1326 -- Agriculture (Vetoed by the Governor)  
 HB 1359 -- Vendors at Certain State Building Events (Vetoed by the Governor)  
 HB 1455 -- Tax Liability Disputes (Vetoed by the Governor)  
 CCS SCS HB 1553 -- Political Subdivisions (Vetoed by the Governor)  
 CCS SS HB 1707 -- Operation of Motor Vehicles (Vetoed by the Governor)  
 SS SCS HB 1865 -- Taxation (Vetoed by the Governor)  
 HCS HB 1999 -- Motor Vehicle Lien Documents (Vetoed by the Governor)  
 CCS HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624 -- Elementary and Secondary Education (Vetoed by the Governor)  
 HCS SB 506 -- Agriculture (Vetoed by the Governor)  
 HCS SB 508 -- Health Insurance (Vetoed by the Governor)  
 SS#3 SCS SBs 509 & 496 -- Income Taxes (Vetoed by the Governor -- Overridden by the General Assembly)  
 SB 523 -- Radio Frequency Identification (Vetoed by the Governor)  
 HCS SS SB 575 -- Boards, Commissions, and Committees (Vetoed by the Governor)  
 CCS HCS SB 584 -- Taxation (Vetoed by the Governor)  
 SS SCS SB 593 -- Political Subdivision Elections (Vetoed by the Governor)  
 CCS SCS SB 612 -- Taxation (Vetoed by the Governor)  
 CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)  
 CCS HCS SB 656 -- Firearms (Vetoed by the Governor)  
 CCS HCS SB 662 -- Taxation (Vetoed by the Governor)  
 SS SB 673 -- Employment Security (Vetoed by the Governor)  
 SCS SB 675 -- Missouri Local Government Retirement (Vetoed by the Governor)  
 CCS#2 HCS SB 693 -- Taxation (Vetoed by the Governor)  
 HCS SS SB 694 -- Payday Loans (Vetoed by the Governor)  
 HCS SB 727 -- Farmers' Markets (Vetoed by the Governor)  
 SCS SB 731 -- Nuisance Ordinances and Actions (Vetoed by the Governor)  
 SCS SB 829 -- Tax Liability Disputes (Vetoed by the Governor)  
 SS SCS SB 841 -- Alternative Nicotine or Vapor Products (Vetoed by the Governor)  
 CCS HCS SS SB 860 -- Taxation (Vetoed by the Governor)  
 SS SB 866 -- Traditional Installment Loan Lenders (Vetoed by the Governor)



**VICTIMS OF CRIME**

*See also Crimes and Punishment; Criminal Procedure*

SCS HB 1092 -- Child Protection

HCS SS SCS SB 491 -- Missouri Criminal Code

CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)

CCS HCS SCS SB 852 -- Public Safety

HCS SS SB 869 -- Children

**WASTE - RADIOACTIVE**

SCS SB 642 -- Natural Resources

**WASTE - SOLID**

CCS HCS SCS SB 664 -- Natural Resources

**WATER RESOURCES AND WATER DISTRICTS**

*See also Drainage and Levee Districts; Soil Conservation*

SCS HB 1692 -- Public Utility Districts

SS SCS HCS HB 1867 -- Underground Facility Safety

SCS SB 642 -- Natural Resources

CCS HCS SCS SB 664 -- Natural Resources

**WEAPONS**

*See also Firearms and Fireworks*

CCS HCS SB 615 -- Administration of Justice (Vetoed by the Governor)

CCS HCS SB 656 -- Firearms (Vetoed by the Governor)

SS SB 745 -- Law Enforcement

SCS SJR 36 -- Right to Keep and Bear Arms

**WORKERS COMPENSATION**

CCS HCS SCS SB 852 -- Public Safety

# BILLS STATISTICS

## *2014 Regular Session Missouri General Assembly*

	Introduced	Third Read*	Truly Agreed	Vetoed by the Governor
House Bills	1,233	203	84	11
House Joint Resolutions	52	7	4	0
House Appropriation Bills	17	16	15	0**
Senate Bills	511	136	85	22
Senate Joint Resolutions	33	3	2	0
<b>TOTALS</b>	<b>1,846</b>	<b>366</b>	<b>190</b>	<b>33</b>

*\*In chamber of origin*

*\*\*Does not include line item vetoes*

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